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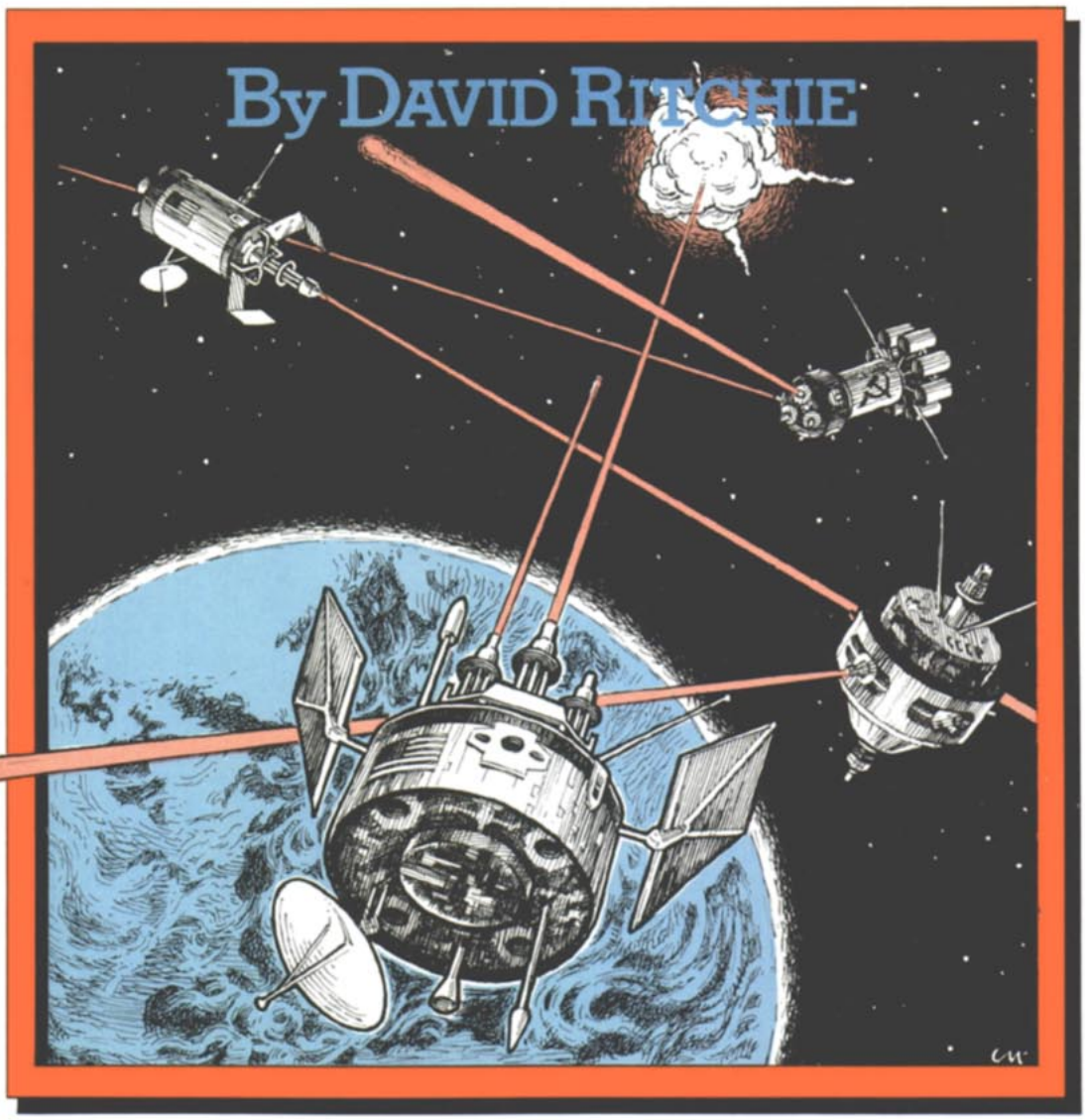
Mother Russia's Dissident Daughters

The Government's Massive Oil Screwup

Nat Hentoff: *'Deep Throat' at Harvard*

LASER-RATTLING IN OUTER SPACE

By DAVID RITCHIE



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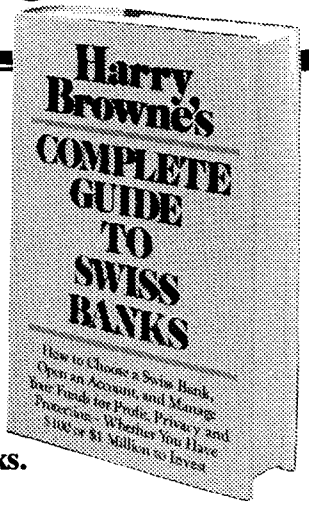

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Laser-Rattling in Outer Space

DAVID RITCHIE **p. 13**

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A WORD FROM THE PUBLISHER

BY THE TIME GEORGE Lucas's three-trilogy *Star Wars* superepic is completed, some twenty-five years from now, it may well have been rendered obsolete by a real space war between the Soviets and us. David Ritchie reports on this newest theater of the Cold War, noting that there is little chance of any treaty limiting the arms race in space given the present mood of confrontation shared by most of our political leaders. And if you thought that the choice of George Bush on the Reagan ticket was a victory for "moderation," our lead editorial has some bad news. The former director of the CIA has some novel—and really frightening—ideas on our "survivability" in an all-out nuclear war. On the feminist front, there's news from Harvard and from Russia, some of it good, some of it not so good, as reported in two of our columns.

Finally, we are all very pleased to welcome Steve Harvey back.

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RES PUBLICA

Major Italian syndicate figure deported

■ Immigration authorities have ruled that an alien who overstayed his visa in the United States must be deported because he stole some olives and some wood in 1943, when he was a youth in his native Italy.

A petition to overturn the immigration ruling was rejected in Manhattan yesterday by the United States Court of Appeals for the Second Circuit. The court found that the alien was excludable and that the authorities had not abused their discretion in the case.

The alien, 56-year-old Michele Chiaramonte, came to this country on a visitor's visa nine years ago and lives in Queens. He said the petty thefts had occurred in wartime Italy when his family needed food.

—New York Times, June 26, 1980

No tanning permitted

■ An august and highly influential Afrikaans academic body called the South African Bureau for Racial Affairs (SABRA) has finally come up with a version of the government's race policy that sounds remarkably like "please stop the world, we want to get off."

Distressed at the government's failure to achieve effective racial separation (in spite of a multitude of discriminatory laws and regulations) it now proposes that dedicated "racially pure" whites should set up a new mini-state inside South Africa where no blacks or people of mixed race would ever be allowed to live or work.

—Christian Science Monitor, July 14, 1980

Baby born wearing tiny ball and chain

■ The Los Angeles County sheriff's department has ended its policy of chaining pregnant jail inmates to the beds just before and after they give birth, attorney Gloria Allred said yesterday.

"We're very happy," Allred said.

"We had a gynecologist-obstetrician give us a statement that fastening the women with a 15-foot chain was a hazard to the mother's and the child's health," she said.

—Los Angeles Times, July 15, 1980

With liberty and justice for all

■ The Ayatollah Sadegh Khalkhali, a revolutionary judge who has sentenced scores of defendants to death, said Sunday that he wants to arrest and perhaps execute a member of the new Iranian Parliament who publicly opposed him.

Khalkhali, in an interview with a Western reporter, said he will make certain that Ismaili Moezi, a member of Parliament from Malayer, will not be allowed to return to the legislature.

"We are going to arrest him, put him on trial and sentence him to death or life imprisonment," the controversial Iranian judge said.

"We have been following him for the last 25 years," the judge said. "The votes which he received (electing Moezi to Parliament) were from smugglers."

Earlier Sunday, Moezi rose in Parliament to demand that a committee examine the judge's fitness to sit in the recently elected legislature.

—Los Angeles Times, June 9, 1980

Cinéma verité

■ A Center for Southern Folklore film was recently singled out for an award in national competition. *Hush Hoggies Hush: Tom Johnson's Praying Pigs* captured "Most Unusual Video Program of the Year" awarded by the National Video Clearinghouse in New York, the computerized information network for videotaped programs.

Hush Hoggies Hush surfaced a winner from 15,000 entries, including *Jaws II* and *Apocalypse Now*. The four-minute documentary focuses on the unique hobby of a Mississippi man who spent 35 years training litters of pigs to "pray" before they ate.

[The film] was produced with support from the National Endowment for the Arts, the National Endowment for the Humanities, the Rockefeller Foundation, the Ford Foundation, and the U.S. Dept. of Health, Education and Welfare.

—News release, Center for Southern Folklore, June 15, 1980

Shuffle yo' feets on down heah, Massa—de weathuh fine

■ Florida halted distribution of 150,000 tourist brochures Friday because the cover shows a grinning black child holding a slice of watermelon.

Tourism director Ed Gilbert, who was raised in Virginia and Philadelphia, said he had no idea black people eating watermelon was viewed as a racial stereotype by some people.

—Miami Herald, May 31, 1980

To choose the secretary of state we're holding a potato race

■ Ronald Reagan's wife Nancy says her husband added one more quality he was seeking in a running mate. He wanted someone who shares his love for jelly beans.

Mrs. Reagan told a caucus of the California delegation Tuesday that . . . the subject was discussed at length Monday night "when we had dinner with our children and grandchild."

"We all decided the criteria would be who could eat the most jelly beans," she said.

—Los Angeles Times, July 17, 1980

The pride of the marines

■ Two marines go on trial next week on charges they refused to search through slop being fed to pigs for tableware lost from mess halls.

Both allegedly refused orders to find tableware inadvertently mixed in with garbage from Marine mess halls. The garbage was later sold to a hog farmer for use in feeding his stock.

"We were supposed to get down and put our hands through that stuff," [one of the men] said.

—Los Angeles Times, July 5, 1980

Transylvanian immigrants flood city

■ After examining injury reports from hospitals in New York City, Dr. John S. Marr, an assistant health commissioner, and two medical colleagues came up with some little-known news late last year: more people were bitten by other people in 1977 than were bitten by rodents. They said people biters had sent 892 victims to hospitals for treatment, while rodents had injured 229.

New York people biters strike "almost every part of the body," from the legs to the face, Dr. Marr says. He continues to be puzzled by some aspects of the trend. "The bites increase in the early summer," he notes, theorizing that the danger may be greater then because victims wear less protective clothing.

—New York Times, June 1, 1980

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A Bush in the hand

The perfect jogging mate

HIS FAMILY CALLS HIM "POPPY," one of those nicknames upper-class Easterners seem to be born with. William Loeb calls him "the clean fingernail Republican." His media adviser tried to hype him as "the American eagle," but mercifully that tag didn't catch on. John Anderson says he's "Ronald Reagan in a Brooks Brothers suit." But George Bush is probably best known for his jogging.

There was a time last winter, just after the Iowa caucuses, when you couldn't pick up a newspaper without seeing a picture of the man puffing along on his daily three-miler. Thirteen years younger than his principal opponent, he was of course much too polite to mention the fact directly. The older man prevailed in the end, but George eagerly accepted the number two slot, brushing aside the embarrassment of being second choice to the Ford-Kissinger monster. It was the fourth time he had been considered for the vice presidency—probably a world record. With the Democrats in disarray, the Reagan-Bush ticket is a very good bet to win. And given Reagan's indisputably advanced age, Bush could well become this century's sixth unelected President.

So who is this budding track star? Where does he stand on the issues of the day? These are not easy questions to answer. Announcing his candidacy at the National Press Club, Bush promised "a new candor." This turned out to mean talking a lot about "momentum," endlessly repeating that he's "up for the eighties," and explaining that his heart's desire is to "restore the stars in third graders' eyes."

When pressed, Bush turns out to be about as candid as, say, H. R. Haldeman testifying before the Watergate committee. Asked to explain the logic of his position on conscripting women (he'd draft them but wouldn't let them fight "in the foxholes"), he said "I'm not going to share my thought processes." Asked by Robert Scheer of the *Los Angeles Times* to elaborate on his stand on abortion, Bush snapped, "I don't have to answer—this is a free world, I'm protected under not having to exercise [*sic*] my First Amendment rights." After endorsing a Republican platform that repudiated the ERA, which he had supported, and that called for a constitutional amendment protecting the unborn, which he had opposed, the new nominee didn't want to talk about it. "I'm not going to get nickel-and-dimed to death by detail," George Bush explained candidly.

It could be that Bush's unusual notions about candor developed during his year as director of central intelligence—the last item on his famous résumé. But let's run through the whole thing in order. It gives a feel for the man that one doesn't get from his speeches.

The first entry may be the most impressive. After Andover, the Navy, and Yale, young Poppy pulled up stakes and headed for the wilds of Texas where—with, to be sure, the help of half a million in capital raised mostly by his uncle the investment banker—he made himself into a successful oilman. Next, between unsuccessful runs for the Senate, he served two unremarkable terms as a congressman from Houston—sponsoring legislation that put restrictions on imported oil, which was then too cheap for American producers to compete with, and voting for a bill that would have made colleges withhold financial aid from students solely because they took part in demonstrations. While on the Hill he caught Richard Nixon's eye, and after Bush lost his 1970 Senate race—despite $106,000 worth of aid from a White House slush fund, much of which he failed to report to the state of Texas—Nixon named him ambassador to the United Nations.

At the UN, Bush stood firm for Chiang Kai-shek while Nixon and Kissinger were sweet-talking Mao behind the ambassador's back. Tapped to head the Republican National Committee in 1973, he distinguished himself by supporting the First Felon to the bitter end. Gerald Ford then made him our envoy to China where, since we then had no formal relations with the government, Bush had a lot of time for bicycling, sightseeing, and recreational reading.

In the last year of Ford's administration, Bush came home to take over the Central Intelligence Agency. It was not a popular appointment; on its face, it looked too political. But George stayed out of trouble. He "did what he was supposed to do" at the agency, says CIA critic John Marks, which was "to let the professionals run it." Bush now says the biggest accomplishment of his tenure was to raise morale among the spooks; it had hit an all-time low after more than a year of congressional probing into some of their dirtier secrets. This is no empty boast: He raised morale so high, in fact, that at an October 1979 banquet of the Association of Former Intelligence Officers, 180 of the 240 persons present wore George Bush buttons. Around twenty-five former CIA people were active in Bush's primary campaign, including four top foreign-policy advisers and a former agency security director who functioned as a traveling bodyguard in the days before Bush accepted Secret Service protection.

The agency did, of course, make occasional blunders under Bush's leadership. There was, for example, the $1.3 million intended for the Angolan rebels that wound up instead in the pockets of Zaire's President Mobutu. This sort of thing can be chalked up to normal operating losses, though. More disturbing is the role Bush played in the Letelier murder case. The story gives one an idea of what it means to be director of the CIA—a job George Bush says he enjoyed more than any other he's had.

Shortly before Chilean exile leader Orlando Letelier and his passenger, Ronni Moffitt, were killed in September 1976 by a bomb planted under Letelier's car, the American ambassador to Paraguay had cabled the CIA—just checking, do you guys know about this?—that two Chilean intelligence officers had

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requested entry visas for a secret mission in the United States. According to John Dinges and Saul Landau in *Assassination on Embassy Row* (Pantheon, 1980), the cable, complete with copies of passport photos of the two agents, ended up on Bush's desk. A week later the CIA cabled back that it knew nothing about any such mission, and the U.S. ambassador canceled the visas. But the Chilean agents got their visas elsewhere. They entered the United States on August 22, and notified CIA headquarters of their presence. The assassinations were carried out, and Letelier and Moffitt died horrible deaths.

Despite what Bush knew about the movements of the two agents, the CIA subsequently spread word that it didn't think there'd been any involvement in the murders by its Chilean counterpart, and that it suspected Chilean leftists of committing the crime to create martyrs and damage America's relations with the Pinochet regime. Bush even went so far as to personally assure Kissinger that the Chilean secret police were not involved in the assassinations.

Candidate Bush gets a lot of applause with lines like, "I'm sick and tired of people running down the CIA." Asked what he'd do about America's drug problem, he suggests that a stronger CIA would help. He doesn't want Congress notified about covert operations until after the fact, and he flatly refuses to rule out helping overthrow governments as a legitimate foreign-policy tool. After all, it worked in Chile, didn't it?

We really don't need to know much more about Bush's foreign policy ideas. He wants all the usual new bombs and weapons systems. (To his credit, he did denounce Reagan's bizarre plan to blockade Cuba—a scheme dreamed up by Ronnie's former campaign director John Sears as an attention grabber for a TV interview—though it's not clear what he'd say now that he's running with the man.) And when it comes to economics, Bush is no different from the rest of the conservative pipe dreamers who want to balance the budget, dramatically increase defense spending, and cut taxes all at once. He hasn't offered many specifics, but one gets the impression that George plans to finance the MX missile by trimming a little fat from the CETA budget.

Bush has sprinted out from the pack on one issue, however: He has some startling views about winning nuclear wars. These came out in his *Los Angeles Times* interview with Robert Scheer, and are worth reprinting in full.

Scheer: Don't you reach a point with these strategic weapons where you can wipe each other out so many times and no one wants to use them or be willing to use them, that it really doesn't matter whether you're 10 percent or 2 percent lower or higher?

Bush: Yes, if you believe there is no such thing as a winner in a nuclear exchange, that argument makes a little sense. I don't believe that.

Scheer: How do you win in a nuclear exchange?

Bush: You have a survivability of command in control, survivability of industrial potential, protection of a percentage of your citizens, and you have a capability that inflicts more damage on the opposition than it can inflict upon you. That's the way you can have a winner, and the Soviets' planning is based on the ugly concept of a winner in a nuclear exchange.

Scheer: Do you mean like 5 percent would survive?

Bush: More than that—if everybody fired everything he had, you'd have more than that survive.

It is a measure of the complete insanity of our time that a man who talks calmly of "survivability of command in control" and "protection of a percentage of your citizens" in an all-out nuclear war can campaign for President as a "moderate" Republican and be called "serious, able and likable" by the *New York Times*. Ronald Reagan has picked a fitting running mate.

Electric fences and ID cards

Keep out your tired, your poor

FOURTEEN OF THEM REACHED THEIR goal. Desperately parched and near death, they were picked up by authorities in southern Arizona on the Fourth of July. Though their fate is still undecided (they are subject to prosecution and deportation as illegal aliens), they made it to the promised land.

Thirteen of their companions were not so lucky. For them the desert trek proved too harsh. Two were found face down on open Bibles, others on their backs under mesquite trees which could not protect them from the sun that had bleached their eyeballs dry.

For this group of refugees from El Salvador, the road to freedom became a terrifying test of survival. Appallingly, their horror story is far from unique.

—Last summer, five Haitian children and a young woman were drowned after having been forced off a boat at gunpoint by smugglers fearing a search by an approaching U.S. Coast Guard cutter.

—In February 1978, three men suffered frostbite while locked in a small van for thirty hours with fourteen other undocumented aliens; they were hiding from Chicago authorities.

—Early this year an eight-year-old Haitian girl was incarcerated in a West Palm Beach city jail for two weeks with adult inmates. Leonel Castillo, then INS commissioner, described this incident as a "screwup."

These people are victims—of the cruel elements, of unscrupulous smugglers, of repression and poverty in their native countries. But ultimately they are victims of American immigration policy, outdated and unconscionable laws that force those labeled "illegals" to lead lives as criminals in the United States if they succeed in crossing the border. Immigrants, whether legal or not, come here in search of a better life. Some find, instead, a country even less sympathetic than the regimes they chose to flee. Americans have made it very clear that, though this is the richest and most self-righteously democratic country on earth, foreigners are no longer welcome here.

The American government is turning away refugees right and left—but more right than left. Until May 15, when the Refugee Act of 1980 went into effect, only those fleeing Communism or the "general area of the Middle East" were accepted as bona fide refugees. The Cold War has allowed us to use refugees as political pawns, to punish or reward governments by the ways we treat their exiles and expatriates. According to U.S. government statistics, in 1975–76, 96 percent of asylum applicants from places like Chile, Iran, and the Philippines were denied sanctuary. On the other hand, 95 percent of the applicants from Communist countries (excepting Yugoslavia) were admitted.

Under these guidelines, instituted in 1952 and loosened only partially by recent legislation, the government, however

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grudgingly, accepts over 120,000 Cuban refugees because it disapproves of Castro, but turns away Haitians and Salvadoreans arriving at the same time because it does not recognize their suffering as persecution. They are deemed "economic refugees" and as such are not qualified for asylum in this country. No matter that political prisoners—among them aliens sent back to Haiti from the United States—are regularly tortured and killed in Port-au-Prince prisons. No matter that the Salvadoran Catholic church estimates that in the first three months of this year more than 1,000 people died as a result of political violence in that country. Certainly many refugees are poor—80 percent of all Haitians have an income of less than $150 per year—but in countries like these where it is illegal to speak ill of the economy, it is difficult to separate politics from economics. The fact is that for most people seeking asylum in the United States, the search for economic betterment is inextricably intertwined with the struggle for political freedom. As one Haitian priest pointed out: "Dying of hunger and being executed by the government is the same thing." Yet the U.S. government continues to make this specious distinction.

The real problem, of course, is that some people are unfortunate enough to live under governments that are allied with, and often propped up by, the United States. To grant refugee status to Haitians, Salvadoreans, or Chileans after the 1973 military coup, would be to admit that there are human rights problems in countries supported by U.S. dollars and policies. Human rights, it seems, are reserved only for those people suffering under regimes to which the U.S. government is hostile.

Selectivity about refugees is only one of a myriad of restrictions and exclusionary categories in our immigration laws, some dating back to 1875. National origin quotas were first instituted in 1921 on the theory that some races were superior to others, and were defended in 1952 as a means to "preserve the sociological and cultural balance in the population."

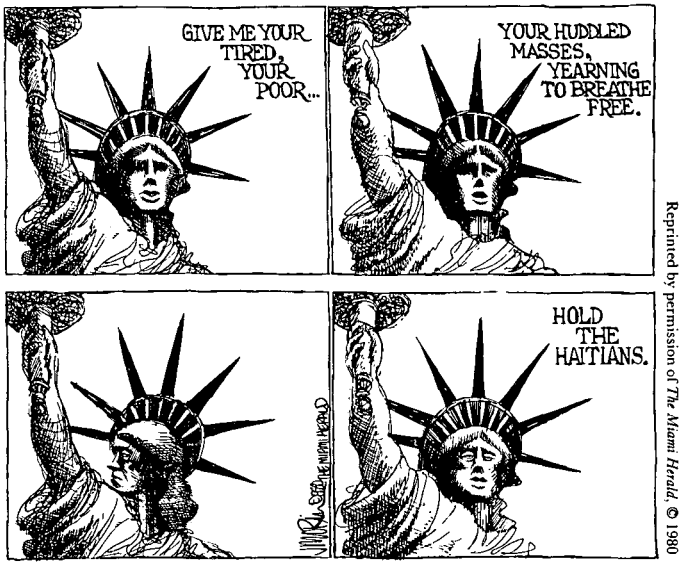
Our laws reflect the widespread view of immigrants as a threat to the American way of life. We have made newcomers scapegoats for many social ills. A lagging economy, crime in the streets—you name it and you can pin it on those foreigners let in under our too-liberal immigration laws. The environmentalists worry about the use of our limited resources by people they view as not entitled to them, and the adherents of Zero Population Growth feel threatened by hordes of people they see pouring over our borders. Apparently the goals of saving the planet and limiting population growth are relevant only in America. Prospective immigrants can consume and reproduce to their hearts' content, so long as they don't do it here.

Organized labor is visibly relieved to be able to blame unemployment and low wages on immigrants. César Chavez, champion of the downtrodden, is now calling for a crackdown on illegal aliens; he doesn't want any unnecessary competition with his union members. Besides, it is argued, aliens are a drain on our system of social services. We cannot extend welfare, social security, and unemployment benefits to all the world's poor.

These are all legitimate claims on the surface—if one chooses to ignore the facts. The number of illegal aliens swarming into America, often estimated at upwards of twelve million per year, is exaggerated. The educated guess at this point is three million to five million, over 60 percent of whom are Mexicans who come to work and stay an average of five and a half months.

Indeed most immigrants come to the land of opportunity for just that—the chance to work. The average immigrant is young, male, vigorous, and diligent. Many take jobs that native-born Americans shun, working as dishwashers and avocado pickers, receiving low wages that seem to them like fortunes. Of illegal aliens, approximately 73 percent pay taxes, 77 percent pay social security premiums, and few ever reap any benefits. One study shows that only 0.5 percent of those in the country without documents actually draw welfare. The illegal alien is much more likely to be subsidizing the system than ripping it off.

Yet many Americans are calling for more stringent, or at least more effective, immigration laws. The present laws are indeed confusing and unenforceable at best, irrational and inhumane at worst. But where do we begin to reform? The Refugee Act of 1980 is less discriminatory than its predecessor, and hearings are presently being conducted by the Select Commission on Immigration and Refugee Policy to further amend the law. Senator Edward Kennedy, a member of that



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commission, thinks that in the interest of fairness we should scrap our current immigration laws and start all over again—a provocative suggestion from the man who, as floor manager in 1965, helped the Senate amend those same laws to add "sexual deviation" to the list of exclusionary categories.

But maybe this time Kennedy is right, though the suggestions that have come from the commission thus far are less than encouraging. Its most alarming recommendation to date is a national identity card that would be a modified social security card, to be presented by every citizen and permanent resident alien when applying for work. This would seem to be a violation of the American tradition of not letting the government keep tabs on us. Yet maybe, in order to protect ourselves from outsiders, we should take away the civil liberties of all of us who reside within our borders. After all, the only true native Americans have already been accounted for on reservations; the rest of us are immigrants.

The select commission faces an impossible task. "Reform" proposals range from electric fences on the Mexican border (a "tortilla curtain") to criminal penalties for employers who hire illegal aliens. And the morass of laws—some, perhaps, well-intentioned, but others clearly racist—seems to be deepening. Laws that restrict the movement of people from place to place are inimical to a free society. The only sensible and honorable thing to do at this point is junk the whole shoddy mess. ❑

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LETTERS

Letters to the editor should be addressed to INQUIRY Magazine, 747 Front St., San Francisco, California 94111. The editors reserve the right to edit letters for length when necessary.

According to Webster

YOUR RECENT BOOK REVIEW discussing Noah Webster [July 7 & 21] was delightful reading, but it hardly did justice to that remarkable man, apparently the fault of the book rather than the reviewer.

While *INQUIRY* will differ with Webster's theology, it should agree with much of his economics. In his children's American history textbook, which, with his speller, helped shape America, Webster instructed children (and their parents, who also read the readers) in a hard-money policy and taught that while paper money seemed to have short term benefits, it was a long term disaster. His fear of democracy rested on his knowledge of the French Revolution, and a fear that it meant that the will of the people would, among other things, be placed above economic law.

Webster was not always consistent, and he did endorse the Bank of North America (the first national bank) on what he believed were hard-money grounds. His textbook rather than his brief endorsement carried the greater weight. He was wrong in regarding centralization of power in Washington, D.C., as "a bugbear," while correct in seeing state sovereignty as an immediate problem. He does deserve further study. He is a pleasure to read because of the clarity of his writing. Nothing he wrote was ever crepuscular.

R. J. RUSHDOONY
Vallecito, Calif.

For the record

*LARRY BUSH SAYS IN "BOR-*derline homophobia" [June 9 & 23] that anarchists are barred from entering the United States "in response to Archduke Francis Ferdinand's assassination in 1914." But that didn't involve any anarchists. This provision is of course in response to President McKinley's assassination in 1901, which did.

NICOLAS WALTER
London, England

The two errors of Rothbard

IN HIS ARTICLE "THE TWO Faces of Ronald Reagan" [July 7 & 21] Murray Rothbard is unfair to Professor Milton Friedman. He implies that Friedman opposes cutting taxes, whereas on the contrary, Friedman in his *Newsweek* column has come out in favor of the Kemp-Roth income tax cut. Being careful to take issue with Art Laffer's view that a cut in tax rates would increase tax revenues, Friedman argues that tax cuts will force expenditure cuts—precisely the argument Rothbard gives against the "Responsibles," among whom he includes Friedman.

Also, Rothbard understates the case against Reagan's views on trucking deregulation. Although he quotes Reagan's statement that he would appoint a task force to decide which regulations to keep and which to drop, Rothbard neglects to point out that in the same interview, according to the *National Journal* (March 8, 1980), Reagan states that the task force would be "made up of members of the industry and of clients of the industry."

DAVID R. HENDERSON
University of Santa Clara, Calif.

Zap him, Darth

I SUGGEST THAT YOU GENTLY step on your film reviewer, Elliott Stein [July 7 & 21]. He should not have given away the surprise ending of *The Empire Strikes Back*. (Fortunately I had already seen it.)

TARAS WOLANSKY
Thiells, N.Y.

A self-destructive civilization

*JOHN MARKOFF'S ENDORSE-*ment of Thomas Edison's advice to the capitalist to go into the soapbox business if the Communists talk from soapboxes ["Sheep in Wolf's Clothing," July 7 & 21] strikes me as not a little superfluous. For we have, indeed, we have: Was not Bukovsky arrested with handcuffs "Made in U.S.A."? Markoff's observation, however, that "some of the corporations at the very heart of the defense establishment find themselves having to forgo lucrative trade opportunities in the name of national defense," which essentially says that we should sell arms to the Russians, is ludicrously justified: a civilization that has come to this has precious little reason to survive. It is only a pity the Bukovskys would have to go down with us.

JULIANA GERAN PILON
Hoover Institution, Stanford, Calif.

A mere pittance

I AGREE WITH MARY MEEHAN'S opinion, expressed in her article "How the Donkey and the Elephant Turned Into Pigs"[July 7 & 21], that the governmental subsidization of the Republican and Democratic presidential campaigns is unjust and undemocratic. However, at a time when the military is wasting billions on "defense" expenditures, it is hard for me to get upset along with her at the relatively small amount—$120 million—expended for campaign purposes.

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FIRST AMENDMENT WATCH

NAT HENTOFF

'Deep Throat' comes to Harvard

*ONE OF THE MORE EDUCA*tionally illuminating events of the 1979–80 Harvard academic year was not part of a credit course. It was the arrest of two male students—instigated by two feminist students. The charge, which could result in five-year jail terms, is: disseminating obscene material. More specifically, the showing by the Quincy House Film Society—headed by the two defendants—of the movie *Deep Throat*.

The arrests have triggered a fierce debate at Harvard, as have other feminist campaigns against pornography throughout the country ("The new legions of erotic decency," December 10, 1979). As we shall see in this cautionary tale, not all feminists, by any means, believe in kneeing the First Amendment to get at pornographers. But those who do, claim to be acting on a "realistic" approach to the First Amendment that is shared by what might be called other self-defense groups.

As former Supreme Court Justice Arthur Goldberg once said, in justifying arbitrary police arrests during a massive May Day antiwar demonstration in Washington, "While the Constitution protects against the invasion of individual rights, it is not a suicide pact."

Abraham Lincoln made a similar point when he suspended habeas corpus during the Civil War. So have more recent administrations, invoking the imperative priorities of national security against the printing of the Pentagon Papers, *The Progressive* magazine's article on the H-bomb, and Frank Snepp's book on the CIA because he did not first show it to that agency. Linking all these censoring actions is the argument that the First Amendment is not absolute, and therefore there are times when it must be curbed in order to protect the existence of the very governmental system of which it is a part.

Other variants on this theme were heard in fervent abundance during the conflict over the ACLU's support of the right of Nazis to demonstrate in Skokie, Illinois. As a letter writer to the *Washington Post* distilled the "suicide pact" argument at that time: "Freedom of expression has no meaning when it defends those who would end this right for others."

Certain women against pornography have adapted this "clear and present danger" thesis to argue that it is suicidal for women to allow the continuation of pornography because "adult" books and films cause real—not fantasy—violence to women, from battery to rape, by men incited by these materials.

*ACCORDING TO THIS REASON*ing, the First Amendment is not only not absolute but probably sexist. As Andrea Dworkin declared at a New York University Law School colloquium on the subject: "The concept of 'civil liberties' in this country has not ever, and does not now, embody principles and behaviors that respect the sexual rights of women."

To which Susan Brownmiller added, at the same colloquium: "We feminists now find ourselves in the curious situation of having the sexual intimidation of women actually buttressed by some free-speech advocates—the so-called absolutists."

If you defend the enemy's right to speak, then you must be the enemy.

On the other hand, there are feminists against pornography who see the ultimate enemy as censorship itself. Susan Sontag, for instance: "I'm appalled and disgusted by the content of pornography because it is an invitation to a lynching, for the most part. It would be very nice to get . . . this obscene propaganda against women off the streets, out of the movie theaters, out of the bookstores, and so on. But it's simply a precedent for other kinds of censorship—and pornography will only go underground."

So far, much of this battle over the "absolute" nature of the First Amendment, when it comes to pornography as an invitation to a lynching, has been in the abstract. What makes the coming of *Deep Throat* to Harvard so intriguing a chronicle is that, for once, feminists on both sides had to deal with the concrete: the placing in criminal jeopardy of two young men who, by showing a pornographic film, qualified, in one feminist's terms, as "fellow travelers of the pornographers."

Quincy House is a Harvard residence hall in which both male and female students live. The house has a film society

State cops were pulled off murder cases to bust the devil's workers at Harvard.

that had been running a deficit, so the society's copresidents, Harvard juniors Carl Stork and Nathan Hagen, decided to show the "classic" porno film, *Deep Throat*, as a way of balancing the books.

Somewhat more than half the women in residence at Quincy House protested on the grounds that the showing of so degradingly sexist a movie invaded their private space. This was not a public theater, after all. It was where they lived. However, three-quarters of the students living in Quincy House approved of the plan to screen the film. The showing was, after all, to be in a public part of the residence hall. No one was forced to come see it. After much backing and filling by university officials, Charles Dunn, the master of Quincy House, decided it would be up to the students. And so *Deep Throat* was scheduled for May 16.

At this point, two anonymous female residents of Quincy House complained to Middlesex County District Attorney John Droney. An elderly survivor of the endless hardball games of Massachusetts politics, Droney was quick to act on the complaint. The majority of his constituents are not in the academic community and tend to deplore "permissiveness" in all things, especially *this* thing.

NAT HENTOFF writes a monthly column on civil liberties for INQUIRY. His book The First Freedom: A Tumultuous History of Free Speech in America *was recently published by Delacorte.*

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*DRONEY WENT TO MASSA*chusetts Superior Court, where Justice Charles Alberti disappointed him. Alberti noted that he was not basing his decision on any "prior restraint" theory or on any William O. Douglas sort of notion that all expression is protected by the First Amendment. The film simply did not qualify as obscene under the laws of Massachusetts—even though it was "degrading to both men and women" and, worse yet, "very dull."

Droney was undaunted. Under certain circumstances, as any experienced district attorney knows, there is more than one way to get authority to make an arrest. He persuaded a district court clerk to issue an order against *Deep Throat*. And then, in view of the philosophical importance of the impending arrests, Droney, according to the *Boston Globe*, pulled state police detectives off murder investigations to move in on the devil's workers in Quincy House.

While the state was mustering its fearsome resources, an ad hoc committee of feminist protesters against *Deep Throat* had organized an informational picket line, urging students to boycott the movie, as well as a slide show portraying in appalling detail just how pornography does indeed debase women. Furthermore, at Quincy House, before the showing of the film on May 16, a leader of the protest—student Kristen Manos—debated First Amendment paladin Alan Dershowitz, a Harvard law professor and a volunteer attorney, through the ACLU, for the two heads of the film society about to be arrested.

It was a spirited debate. Dershowitz said afterwards that Manos had made a number of instructive points about why some women so fundamentally object to pornography. He himself stressed, during the exchanges, that it was dangerous to call in the state to suppress *any* expression because the state traditionally exercises its censorship powers indiscriminately. "In the same way the state closes down this movie," he said, "it can claim the power to prohibit distribution of information about birth control and abortion."

Feminist Manos agreed. Her group was wholly against censoring *Deep Throat*. They were present to expose the harm the film both contained and represented. They were present to persuade, not to suppress.

At show time, about 150 students went to see *Deep Throat* in the Quincy House dining hall, while 75 watched the antipornography slide show elsewhere in the house. Among the viewers upstairs were two law-enforcement officers who, when the film was over, collared Carl Stork and Nathan Hagen. Among those protesting the arrests were the organizers of the feminist picket line and slide show.

AS FOR THE FEMINISTS WHO had fingered the two students, nobody knew their names. Stork and Hagen may never be able to face their accusers since the district attorney's office has ruled that they are "confidential informants," and so their identities are privileged. Should this faceless approach to nailing pornographers (and their "fellow travelers") become epidemic, the nation might revert to the climate of the McCarthy years when all sorts of helpful patriots quietly targeted all sorts of "subversives." Except now the quarry would be dirty sexists. I doubt, however, that anything like this will come to pass because one of the strengths of feminism has been that its advocates are boldly up front and don't slither around corners.

With regard to the defendants, after a certain amount of legal maneuvering—Dershowitz is an expert tactician as well as a formidable constitutional lawyer—they will probably not serve any time. But each will have an arrest record. Furthermore, had it not been for ACLU intervention, both would be in grave debt. Dershowitz estimates that the total defense costs in the case—to be borne by the ACLU—will come to between $25,000 and $30,000.

HARVARD MONUMENT.

Not every future defendant in this kind of case will be so fortunate as to get free legal help. Many ACLU affiliates have limited staffs and depend on volunteer lawyers who also are sometimes few in number. Moreover, at any affiliate, other cases may have priority at any particular time, so pornography defendants may often have to look for a private attorney; not many private lawyers are that well versed in First Amendment law. It also helped Stork and Hagen, of course, that they are Harvard students and that around the corner, so to speak, was a law professor whose specialties include exactly this kind of litigation. Faceless feminists elsewhere may yet put some polluted souls in jail.

Another aspect of the case has to do with the role of Harvard University. Archie C. Epps III, dean of students, has told the *Harvard Crimson* that "Harvard will not help in the students' defense." This infuriates Dershowitz: "It seems to me that the university has a moral obligation to defend any students exercising their First Amendment rights. Yet, although Stork and Hagen were faced with possible jail terms, Harvard would not even file a friend-of-the-court brief."

Apparently, Harvard University does not take an "absolutist" view of the First Amendment, at least not where certain "adult" films are concerned.

WHAT OF THE INDIGENOUS press at Harvard? That is, the justly respected *Crimson*. Its editorial board had a hell of a time dealing with the issue, and after three hours of debate, couldn't come up with an editorial expressing a majority decision. Instead, there were three separate editorials signed by factions of the eighteen-member board.

Three women and two men declared that *Deep Throat* should not have been shown on moral grounds. Hagen and Stork had "displayed—in a manner far more obscene than anything on the celluloid—their contempt and indifference to those who would be hurt by the screening." However, once those clods did decide to go ahead and show the movie, they and it were protected by the First Amendment. But they shouldn't have let this become a legal issue. They should have been sensitive and moral enough to back off.

Eight men (and no women) took a straight-ahead First Amendment position. It did not matter, they said, how many or how few residents of Quincy House wanted the film to be shown. "The First Amendment is absolutely drawn and guarantees the rights of even the smallest minorities. If one student wants to show *Deep Throat*, he should have that freedom without the fear of

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legal prosecution. And if challenged, he or she should go ahead and show the film—to uphold the First Amendment for others."

Finally, four women and one man refused to "excuse" the showing of *Deep Throat* "as a test of First Amendment rights." Having decided to "support the pornographic industry and the violence against women which is its main expression," these two defendants "relinquish their claims to our sympathy on grounds of unfair censorship."

Then, and this is worth pondering, the third cadre also proclaimed that "while the students had the right to test their constitutional safeguard of free expression, *they were wrong to use it.*" (Emphasis added.)

I had thought this kind of choice was up to the individual citizen, and that those committed to free speech would help protect that choice, however much they were repelled by it. Or, as Oliver Wendell Holmes used to say: "If there is any principle of the Constitution that more imperatively calls for attachment than any other, it is the principle of free thought—not free only for those who agree with us, but freedom for the thought we hate."

It is somewhat dismaying to find that only a minority of the *Harvard Crimson*'s editorial board understands this rather basic principle of how we govern ourselves. I would suggest that next term, the *Crimson* and, for that matter, the Harvard community as a whole, might invite Wendy Kaminer for a series of guest lectures on these matters. She is a feminist, a lawyer, and author of the forthcoming book, *Take Back the Night* (Morrow), in which she says, among many other illuminating things:

"Legislative or judicial control of pornography is simply not possible without breaking down the legal principles and procedures that are essential to our own right to speak and, ultimately, to control our own lives. We must continue to organize against pornography and the degradation and abuse of women, but we cannot ask the government to take up the struggle for us. The power it would assume in order to do so would be far more dangerous to us all than the 'power' of pornography."

Of all the memories of the *Deep Throat* bust at Harvard, it is Alan Dershowitz's hope that the most lasting and troubling will be the actual sight of the raw power of the state coming into Quincy House, choking off expression, and arresting people for what they say (or help others say)—not for what they do. ❑

THE THERAPEUTIC STATE

DICK ANTHONY & THOMAS ROBBINS

A demonology of cults

*THE MASSACRE AT JONES*town precipitated an intense media assault on new religious and therapeutic movements characterized by the application of the pejorative label "cult" and the claim that cults tend to perpetrate atrocities. In a *New York Times* op-ed essay in November 1979, a year after the incident, Jim Siegelman and Flo Conway, authors of *Snapping: America's Epidemic of Sudden Personality Change,* deplored the failure of authorities to absorb the lessons of Jonestown and crack down on "America's other cults." And in a similar vein, Jonathan Hirsch argued in the pages of *New West* that the First Amendment barrier to religious deprogramming could at one time "be explained in the glib vocabulary of human rights." But after Jonestown, "it is a law that ignores certain grotesque truths that have become self-evident."

Such charges tend to be self-fulfilling prophecies since any ideological entity whose members commit violent acts is likely to be subsequently labeled a cult. The Peoples Temple and Synanon were not commonly referred to as cults before late 1978, nor did they often receive the attention of deprogrammers and crusaders against "mind control." By 1979 both groups had been classed as cults, along with such notable organizations as the Unification Church, Hare Krishna, and the Children of God. Thus even the older groups have been implicitly held responsible for the sins of Jim Jones and Synanon's Chuck Dederich. If tomorrow a vegetarian commune killed a man—perhaps crushing his head with a giant cabbage—the commune would be immediately labeled a cult and would provide another reason for cracking down on Moonies.

Because the term *cult* has no clear meaning, it promises more than it can deliver. People assume that the term is precise and that all groups to which it is applied share basic traits. This mystification would be dispelled if a more traditional term like *sect* were employed. Most people are aware that there are many different kinds of sects.

The history of sectarianism illuminates other pertinent considerations. Today's deviant sects are tomorrow's conventional denominations: Quakers, Methodists, Mormons, and First Century Christians were originally controversial, stigmatized sects denounced for their intolerance and lack of respect for community values. Our civil libertarian tradition owes much to the struggles of these relatively authoritarian groups for their "freedom of conscience" against the power of a state proposing to intervene on behalf of community standards. Religious liberty and freedom of conscience, which are sometimes thought to apply only to tolerant, nondogmatic groups, were in fact initially developed through the claims of groups such as the Puritans and the Jehovah's Witnesses. Controversial sects have contributed substantially to the building of America. In the light of Jonestown it may seem ominous for a rigorously disciplined group to obey the Biblical injunction to "go ye out and be ye separate" and seek a haven in the wilderness; yet was this not precisely the enterprise of the original settlers landing at Plymouth Rock?

As events in Iran indicate, politico-religious fanaticism is a surging force in modern life. Yet because we haven't seen as much of this in twentieth-century America—or because we may not always recognize fanaticism when we see it, e.g., people wanting to "Nuke Iran"—we tend to assume that anyone who subordinates himself to a fervent, authoritarian, and intolerant sect must have "snapped" or have been "brainwashed." But these metaphors and the speculative psychology that often accompanies them really add little to our

DICK ANTHONY & THOMAS ROBBINS are coeditors of In Gods We Trust: New Patterns of Religious Pluralism in America, *to be published by Transaction.*

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Review of Books

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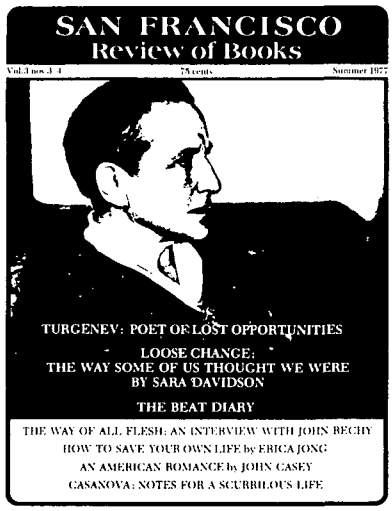
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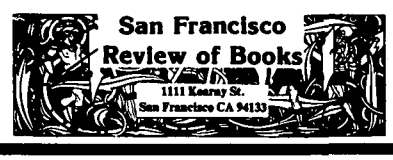

understanding of religious movements.

Most "new religions" obviously do not "coerce" participants in the same sense that POW camps or Communist reeducation camps do. Consequently, cult critics cite deception as a functional equivalent of physical force that places the victim in a position to be "mind controlled." Some Moon groups have initially concealed from potential recruits the identity, nature, and membership obligations of the group into which they were being recruited. This is a foot-in-the-door tactic, however, and prospective Moonies learn what they're in for well before conversion actually occurs. But how typical is even this pattern of initial deception? Can one join Hare Krishna without being aware at the very outset that this is a highly eccentric and strictly regimented group? It is bemusing how frequently an account of the deceptive tactics of a few Moon groups is presented by critics as describing new groups in general.

Most "new religions" are substantially less authoritarian and regimented than groups like Hare Krishna or the Moon church. This holds even for highly controversial groups like Scientology or the Divine Light Mission of Guru Maharaj-ji, which are in turn more tightly organized than many other novel groups like Meher Baba or Zen. Even relatively authoritarian communal groups vary in important respects; for example, the pattern of charismatic authority in the Unification Church is significantly different from the patterns of charismatic leadership in Synanon or Jonestown.

CULT CRITICS OVERUSE the term *coercive* in describing cultist indoctrination practices even when referring to the more regimented groups, overlooking the crucial distinction between coercion and manipulation. Significantly, numerous scholars and journalists who have studied such groups have observed a continual and substantial voluntary turnover; people get fed up and leave on their own, "coercive persuasion" notwithstanding.

This recent stigmatization of cults has a number of interesting sources. To some extent new religions, like gay militants and feminists, are scapegoats for the precariousness of American family life, to which all three are viewed as posing a threat. The decline of the New Left has created a vacuum, and "the people our parents warned us against" are supposedly turning to cults instead. Did not Hare Krishna seem relatively innocuous when radical students were rampaging on campuses?

The hostility expressed toward the new religions ventilates the anxieties and frustration endemic to our bureaucratized society. Offbeat groups are obvious targets because they offer an alternative to the status quo. In the present period of rapid cultural change, even solid citizens are ambivalent about conventional values. The specter of their children repudiating American traditions may make them feel even more beleaguered. Their hope is that eliminating these new movements may return us all to a more tranquil period.

The current furor over the alleged brainwashing of American hostages in Iran has a similar source. The Iranian revolution expressed a self-conscious repudiation of modern secular rationality in favor of a society based upon traditional religion. The theory that the hostages will have been brainwashed is designed to excommunicate from the one true church of secular modernism any prisoners who have expressed qualified support for the views of their captors. In this way American citizens lay to rest their own doubts about the current moral status of American society. The possibility that new religions offer an important alternative to contemporary values is precluded by explanations of conversions in terms of "mind control." As Alan Scheflin and Edward Opton have commented in *The Mind Manipulators*, "When a society would turn its eyes away from the deepest questions of responsibility, brainwashing becomes an explanation that avoids the necessity of looking inward."

IT IS NOTEWORTHY, MOREover, that many of the leading anticultists are psychiatrists and psychologists. Most psychiatric critics of cults are sincere in their concern for the psychological consequences of spiritual authoritarianism. Yet the war between the cults and the shrinks has a larger institutional context. Modern psychiatry has been a primary vehicle for extending secular values in modern society. Beginning with Freud's *The Future of an Illusion*, conventional psychotherapy has attacked religion as a force inimical to the triumph of objective rationality. Humanity can be delivered into a modern secular utopia only if we become free of the irrational forces expressed in religious life.

Within this context conventional therapists and new religions can be viewed as competing with each other to

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gain converts to their models of reality, and the latter seem to be making far more headway when compared with adherents to the more mechanistic conception of human nature embedded in orthodox psychotherapy. The brainwashing–mind control argument is primarily rhetorical counterattack designed to bolster traditional psychotherapy and the ideal of rationally "adjusted" human nature with which it has been associated. This would enable psychotherapists to develop new roles as "rehabilitators" of supposedly enslaved and degraded devotees, and even as deprogrammers.

The demonology of allegedly cultic mind control thus represents a medicalization of deviant religion. Innovative spiritual involvements are reinterpreted as induced psychopathologies. One MD, the father of a Hare Krishna convert, declares that "destructive cultism" is a true disease syndrome that can be diagnosed as objectively as pneumonia.

Controversies over today's alternative religions really entail conflicts between conflicting models of humanity. Behind the medicalization of deviant religion is the view that certain kinds of religion—emotionally fervent religion, authoritarian sectarianism, life-consuming religion, spiritual ecstasy and mysticism—are antiprogressive, and therefore hostile to mankind's deepest aspirations. The various new religions are at least as different from each other as they are from the mainstream. But they all repudiate the modern ideal of the aseptic rationalized psyche. They encourage the pursuit of a reality beyond the bounds of material circumstances apprehended through the intellect.

Acceptable religion, on the other hand, must "know its place"; it must not challenge the compartmentalization of life into separate religious and secular spheres. Religions that depart from these norms appear to many persons to be not religions at all but forms of insanity. They are therefore stigmatized as pathological "pseudoreligions" or cults, which pertain more to the realm of medical pathology than to the sphere of religion. Devotees are depicted as zombies whose manipulation by authoritarian gurus justifies the use of physical coercion to restore them to personal responsibility. The real psychological problems that sometimes beset "cultists" notwithstanding, the medicalization of religion is a trend that poses a greater threat to human rights than do the questionable tactics of a few of the new religions.

DISPATCH

ADRIAN KARATNYCKY & HELEN O. SEN

Soviet chauvinism

IT WAS THE SAME OLD STORY, but this time with a twist: The dissidents the Soviet government was kicking out were women. Their crime: espousing what by Western standards is a very mild form of feminism. Tatiana Goricheva hardly seemed surprised at her fate. "Russian women are doubly oppressed," she observed after her arrival in Vienna, "both by family and state."

Goricheva and two other women, Natalia Malakhovskaya and Tatiana Mamonova, were "asked" to leave the USSR in late July. As usual, the Soviet authorities gave them a choice. "Either you go to prison or you emigrate," Goricheva recounts. This coincided with the third issue of *Maria*, a *samizdat* journal by and about Russian women. The authorities were also distressed by the fact that the three issued a public appeal in Leningrad urging Russian women to refuse to let their husbands or sons be shipped to Afghanistan. "We demanded the complete departure of our army from Afghanistan," said Goricheva. "We said we feel guilty to be Russians because of Russian aggression toward Afghanistan."

Women's equality is supposedly guaranteed by the Soviet constitution, but *Maria* and its short-lived predecessor, *Women and Russia*—closed by the KGB after one issue—saw nothing but a cruel hoax. The first issue contained a statement of purpose entitled "Those Good Old Patriarchal Principles":

> Officially equal rights were proclaimed long ago, but in actual fact a woman's rights are called pretensions. The fear of competition (and this particularly applies to important jobs that women obviously are cheated out of) and the fear of losing face lead men to praise the role of mother and wife in a one-sided manner. These hypocrites fail to notice that the woman is drawing the carriage on which the man is seated as he urges her to go forward. In the fever of the unceasing assembly-line of life the hidden repression of the woman's personality takes place. . . . All values are masculine values, and the woman is judged by society and forced to judge herself according to the extent that she resembles the man.

Other articles were equally critical. Poet Yulia Voznesenskaya, a former political prisoner who emigrated to Austria after governmental harassment in the wake of the first issue, reported on the savage treatment of adolescent girls in Soviet prisons. Another author wrote about the deplorable hygienic conditions in hospital delivery rooms and the "moaning and screaming" that comes from within them. A nine-year-old boy contributed a frightening narrative of life in the so-called Pioneer camps for children that concluded: "I call that camp the Pioneer concentration camp."

The three feminists urged Russian women not to let their husbands or sons fight in Afghanistan.

And one article looked beyond the plight of women to the general state of affairs in the Soviet Union. Men "create new missiles which grandiosely affirm their primacy—rather than attempting to remove their chains," the author said.

These women are hardly feminists in the normal Western sense of the word. In fact, one article offered a sharply critical assessment of the women's movement in the West. Unlike American feminists, Soviet women often argue from tradition; they contend that although the Soviet Union has destroyed the traditional family structure, with its special place for women, nothing has replaced it. The result, they say, is even greater repression of women, who are now expected to be heroic workers as well as homemakers.

About a dozen typewritten copies of *Women and Russia* made their appearance

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last December. The authorities reacted harshly. Yulia Voznesenskaya's apartment was searched and over 350 items, including the first issue of the new *Maria*, were seized. (The name had been changed to *Maria* when, after the first issue, the authorities forbade the continuation of *Women and Russia*.) Goricheva, who happened to come visiting during the search, was also frisked, and a number of her possessions—including such subversive material as a French-language almanac—were taken. Other editors of *Maria* were harassed and threatened with arrest for "parasitism." Finally came the expulsions. Perhaps the exiled women should count themselves lucky; in recent months, several women active in the USSR's human rights movement have been arrested without getting an option to leave the country.

THE EMERGENCE OF A SOviet women's movement has caught some Westerners by surprise, since those who visit the USSR inevitably comment on the large number of women—doctors, construction workers, scientists, street sweepers—visible throughout the workforce.

Although women have been actively integrated into many Soviet professions during the last sixty years, this has been less a matter of choice than one of economic necessity—for both the women and the government. The women must work to survive, and the government's need for "builders of socialism" remains insatiable. The seemingly egalitarian status of Soviet women in the country's economy has not, however, been accompanied by a corresponding shift in attitudes toward women and their roles in society and in the home. Moreover, the jobs that women hold are often the lowest-paying, and women make up a small proportion of the ranks of administrators and managers. For instance, 75 percent of Soviet school teachers are women and 75 percent of school principals are men.

In the home, discussions of the division of household chores or child-raising responsibilities are uncommon even in the most educated and enlightened families. As births drop and divorces rise—there is one divorce for every three marriages—it is becoming clear that many Soviet women have chosen to limit the number of children they bear to reduce the burdens of full-time employment and family. Female heads of households are also on the increase, suggesting that many women would rather raise their children alone than be plagued by alcoholic husbands—the most frequently cited reason for divorce in the Soviet Union today.

At first glance, the career/family issue sounds familiar. But the problems of Soviet daily life magnify a woman's dilemma far beyond that of Western women. For starters, there is no "choice" involved. Life is difficult—if not impossible—on a single salary. Complicating this is the fact that what would be relatively minor activities in the West, like grocery shopping, become, in the Soviet Union, daily expeditions requiring much time and tactical skill. As one recent émigré put it, "It's not simply a matter of *buying*, but of *obtaining*." This means having key friends among the ranks of salesgirls, knowing where and when to look (the timing of a shipment of imported food, for example), and being close enough to the front of the line to make a purchase before the supply runs out. Tracking down household necessities is a profession, one in which only retirees have the time to specialize.

Another constraint on family growth and stability is the continuing housing shortage. There are a host of reasons why there is no Russian equivalent for the word "privacy," but cramped living quarters is certainly one of them. A husband and wife must often share the same two- or three-room apartment with their in-laws and children. Such hardship has led to a decline in the birthrate and a rise in divorces, especially in the cities; Soviet leaders know these trends will cause an even greater labor shortage in the near future.

THE SOVIET GOVERNMENT has thus far refrained from trying to reverse these trends by reinstituting any of the coercive legislation of the Stalin era. Instead, there is now a system of incentives to encourage child-bearing. In addition, the state has adopted the rather heinous practice of limiting the supply of contraceptives, thus forcing women to resort to abortions as their primary means of birth control. And the conditions in abortion clinics are appalling. According to *Women and Russia*, a clinic in the city of Arkhangelsk admits 200 to 300 patients a day although it has wards for only 15. "Two women are given abortions at the same time, and sometimes as many as six women are given abortions in the same operating room" at the same time, she wrote.

The journal observes that efforts to encourage child-bearing by improving day nurseries and providing allowances to cover the added expense of child-rearing are a complete failure. Echoing a view widely held by recent female Soviet emigrants, the authors say the Soviet woman continues to be the "caryatid of her . . . communal apartment," saddled with full responsibilities at work and at home.

Women and Russia lasted one issue before the KGB put it out of business; *Maria*, its successor, lasted three before its editors were exiled. But even if *Maria* never appears again, the Soviet women's movement has reemerged after an absence of sixty years, and the government's repressive actions will undoubtedly fuel it even further. In the first issue, the editors wrote:

> On the pages of this magazine we are going to write about the situation of the woman in the family, at work, and in the maternity hospital; the situation of children; problems of the moral rights of women; we will write factually about the fate of women of our time. . . . We hope that through our common efforts we can set women's liberation moving and ease the burden that women carry. "A secret, when it is revealed, becomes light."

Nothing has changed since those words were written, say the three editors who were exiled. And the movement will go on with or without them. "Russian women have kept quiet for sixty years," said Goricheva. "Now they are speaking out. There is a lot to say." ❏

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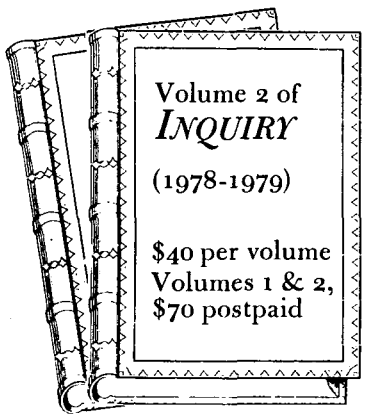

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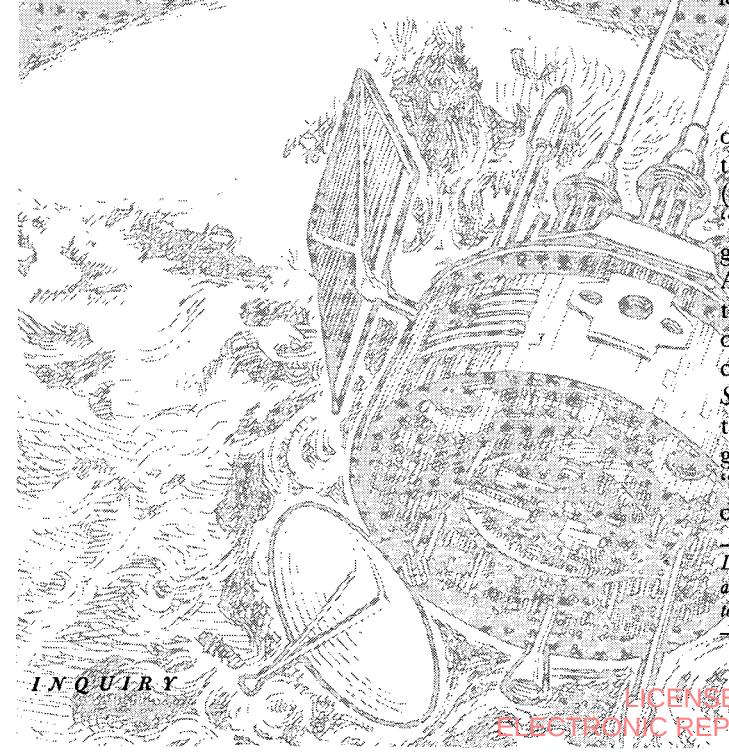

By DAVID RITCHIE

WHILE AMERICANS WATCH LUKE Skywalker battle Darth Vader in the latest installment of *Star Wars*, the American and Soviet armed forces are preparing to wage real wars in space, possibly by the end of this decade.

The Carter administration, which came to Washington pledging a cutback in military spending and a "pacification" of the military buildup in space, has done a quick about-face and given its blessing to putting a costly new arms race into orbit. Plans for fantastic new spaceborne weapons systems are well on their way to becoming reality, and if the Department of Defense has its way the skies may soon be patrolled by orbiting "warships" armed with weapons out of a George Lucas movie. The cost of this military escalation in space will be astronomical, and no one can tell when—or how—it will end.

If this sounds like alarmist rhetoric, then consider the following:

The Soviet Union has been testing "hunter-killer" satellites for almost a decade and is said to be capable of knocking U.S. military and communications satellites out of the sky by ramming them or by setting off explosions nearby that riddle the satellites with shrapnel. Russian antisatellite (ASAT) weapons are thought to have scored more than a dozen "kills" on targets in orbit, though that number may be exaggerated. The latest Soviet test of a killer satellite took place in April. It was unsuccessful, but it gave DOD reason to worry; the test was an attempt to knock out a target within the first orbit of the attack spacecraft. "A Soviet antisatellite attack conducted within one earth revolution," said *Aviation Week and Space Technology* of the test, "would allow little time for the U.S. to recognize one of its spacecraft was in danger." To avoid getting caught by surprise, the United States has identified "threat windows"—times when our satellites might be in danger from Soviet ASAT systems.

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DOD spent some $73 million last year to develop ASAT weapons comparable to those possessed by the Russians, and the Pentagon plans to spend close to half a billion dollars more on ASAT technology in the next few years. *Aviation Week* reports that $80.5 million is being spent in 1980 alone on a versatile ASAT weapons system that would knock out enemy satellites with a small homing missile. The planned ASAT device would be boosted into space by a two-stage rocket launched from an F-15 fighter plane flying twenty miles above the earth, and would use heat sensors to "sniff out" a target before destroying it.

The Soviets are thought to be making impressive progress in developing ASAT laser weapons. Several years ago there was a report, denied by the Pentagon, that the Russians had used a powerful laser to "blind" two U.S. satellites over Siberia. Not to be outdone, the Pentagon has so far spent more than a billion dollars on laser weapons that might be used against enemy missiles and satellites.

DOD plans to put a huge laser weapon in orbit in the next few years. This project, code-named Talon Gold, is a scaled-down version of Darth Vader's Death Star; it would use high-energy lasers to destroy enemy satellites and ICBMs. The Pentagon believes a multimegawatt laser could be put into orbit by 1983 and installed on a "D-sat," or "dedicated defense satellite" that would orbit above and at the same rate as the earth. The laser would employ a mirror ten to thirteen feet in diameter to focus on target, and its beam would burn through the hull of an ICBM, destabilize it, and make the rocket either explode or disintegrate.

The Pentagon seems rather fond of laser weapons, and several besides Talon Gold are in the planning stages. One weapon proposed in 1975 uses an orbiting array of mirrors to reflect a laser beam fired from the ground—the lasers might be mounted on aircraft in flight or on mountain peaks—and to direct the beam toward hostile space vehicles. Cost: $105 billion. DOD plans a laser test on one of the early space shuttle missions, scheduled to begin either late this year or in 1981. If early experiments prove promising, then laser-weapon platforms may be built in space by 1985.

Senate hawks, notably Malcom Wallop (R-Wyo.), have been agitating for a crash space-laser development program with a projected budget of $240 million—four times the amount requested by the Carter administration, which has been approved by Congress for this purpose next year. Wallop estimates it would take $2 billion to put one laser unit in orbit. A network of twenty-four such platforms has been proposed to cover the entire globe with laser power.

Department spokesmen have indicated that the DOD is thinking of setting up a whole new branch of the armed services—in effect a "Space Force"—to handle combat operations in outer space. The air force already has its own Space Division to coordinate all its activities in, and related to, outer space.

The air force set up a manned space flight support group at the Johnson Space Center in Texas in 1979, and some observers believe this group may be the first step toward development of a man-in-space capability for DOD. The department has wanted such a capability for years. The air force planned a military space station called the Manned Orbiting Laboratory (MOL) in the sixties, but had to abandon the project in 1969 because of budget constraints.

The Pentagon has so far spent more than $1 billion on laser weapons that could attack satellites.

DOD, however, may get its orbiting laboratory yet. Similar to the MOL is the European Space Agency's Spacelab, an orbiting scientific laboratory designed to be carried aloft in the cavernous cargo bay of the NASA space shuttle. The Defense Department has understandably taken an interest in Spacelab because it would be a superb spy satellite. Spacelab could carry large cameras for spotting activity both in space and on the ground, and astronauts on board could give a whole new dimension to satellite reconnaissance by adding their "eyeball" observations to those of Spacelab's cameras—an invaluable combination because the eye sometimes sees things the best camera misses. (It's hard to believe, but some of the Gemini astronauts were actually able to see smoke coming from the chimneys of individual houses.)

The Pentagon now has a new Space Defense Operations Center in Colorado Springs, Colorado, to keep track of all major U.S. space systems and any threats to them. The facility is located at the North American Air Defense Command (NORAD) nerve center under Cheyenne Mountain and for the first time provides a single site at which the U.S. military can monitor the status of all spacecraft connected with the nation's defenses.

The Center is in the process of being tied in with all U.S. military satellites and also to civilian space systems, like weather and communications satellites, that might be targets for Russian ASAT weapons. Computers at Cheyenne Mountain receive data from all NORAD radar sensors (including one radar installation in North Dakota that can spot something the size of a cigarette lighter in low orbit) and can keep track of 8000 space vehicles at a time. These computers can also simultaneously follow some fifty "high-interest" targets—large satellites reentering the atmosphere, for example—whose positions have to be precisely known. The Space Defense Operations Center is scheduled to be upgraded in the next few years to handle operation of the new fighter-launched ASAT missile and will serve as the command point for any American antisatellite missions.

Among the objects tracked by NORAD are the twenty-ton Soviet Salyut space stations. These are launched at a rate of one per year and are roughly comparable to our Skylab missions. Some Salyuts are manned, others unmanned. And although the Salyuts are nominally part of a peaceful space project, there is every reason to think they have a military role. Salyut 2, an unmanned station launched in April 1973, transmitted signals back to earth on a frequency normally reserved

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for Soviet spy satellites. Salyut 3 went up in June 1974 and almost certainly had military capability: It carried a groundward-pointing camera far more powerful than needed for nonmilitary photography, and the mission was the object of a general news blackout that suggests a possible military purpose. A similar news blackout surrounded Salyut 5, in sharp contrast to the publicity photos and films released about Salyuts 1 and 4. Soviet silence as to certain Salyut flights has led Western observers to conclude that about half the Salyut missions are for the benefit of the Russian armed forces.

The Soviets have their own military "space city" at Plesetsk, in the northwestern part of the country. Most of the Soviets' military space missions originate here rather than from the older Tyuratam (also known as Baikonur) cosmodrome in Kazakhstan near the Aral Sea. With at least four major launch complexes Plesetsk is one of the world's biggest space facilities. It is served by its own airfield and highway system, and by the Moscow-Arkhangelsk railway. Plesetsk is also one of the world's busiest spaceports: In 1973, satellite launches from Plesetsk averaged one every four and a half days. Although the Soviet government refuses to admit the existence of Plesetsk, the rest of the world has known about Russia's military space base for almost fifteen years. In 1966, amateur radio enthusiasts in Britain calculated the orbital paths of newly launched Soviet satellites from their telemetry signals, and followed the orbits back to a launch site somewhere in the northwestern USSR. The Soviets denied the existence of any launch facility in that area, but were caught in their lie a few years later, when the giant base appeared on photos taken by a U.S. civilian LANDSAT satellite launched in 1973. The satellite shots showed a large military airfield and scores of rocket launch pads. Rather than call attention to its military space center, the USSR let the discovery of Plesetsk pass without official comment.

America's military space program has had its budget doubled since 1976, while in recent years the civilian space agency, NASA, has seen its funding steadily whittled down by inflation and reduced appropriations. Funding for the U.S. military space program is now roughly equivalent—$4.1 billion for the 1980 fiscal year—to America's civilian space effort.

All Soviet space activities are ultimately under military control, and the same may soon be true of America's space program. NASA is so deeply involved in Defense Department business that a 1978 Library of Congress study seriously discussed a plan to let the Pentagon take over NASA's launching activities altogether. NASA's independence of the military is under attack from other quarters as well. An Army War College study, made public recently under the Freedom of Information Act, referred to the U.S. government's separate civilian and military space programs as "expensive . . . luxuries" that the nation cannot afford much longer. That study called for an "integrated civil/military space technology program," thus suggesting that DOD all but swallow up the civilian space effort.

Though the armed forces' move into outer space seems to have happened almost overnight, it has been under way for two decades. America took the first step toward the military use of outer space by sending up its SAMOS (an acronym for Satellite Missile Observation System) spy satellites beginning in 1960. Designed to track Soviet ICBM deployment, SAMOS represented a quantum leap forward in photo reconnaissance.

From an altitude of a hundred miles, undisturbed by picture-blurring influences such as engine vibration, SAMOS took photos clearer than any then available from aircraft cameras. In 1962 SAMOS gave President Kennedy early warning of the Soviets' attempt to station missiles in Cuba.

After SAMOS the military use of satellites increased steadily on both sides of the Iron Curtain. About half the payloads sent into orbit by U.S. rockets since 1960 have been reconnaissance satellites, and three-fourths of all U.S. and Soviet satellites have been military in purpose.

THERE IS NOW A BEWILDERING VARIETY of military satellites circling the earth. These include photoreconnaissance satellites, like the air force's tank car–sized Big Bird, which take pictures of targets on the ground below and return the photos to earth in a special reentry capsule that is plucked out in midair by "lasso"-equipped aircraft. There are electronic "ferret" satellites that monitor communications on the ground below and can eavesdrop on phone conversations between Soviet army commanders in the field. There are heat-sensing satellites that detect the telltale hot exhausts of missiles being launched. And there are communications satellites handling some 70 percent of U.S. military electronic communications with armed forces overseas.

These satellites have already been used by American troops in Vietnam. Syncom II and III satellites relayed high-priority communications between Southeast Asia and the United States. Later a more advanced system of eighteen communications satellites carried data and pictures from Vietnam to America almost instantaneously. Military weather satellites also played an important role in Vietnam, keeping watch over target areas before and during bombing missions.

Today the U.S. armed forces rely more heavily than ever before on satellites. The Defense Meteorological Satellite Program collects information about weather conditions. The NAVSTAR Global Positioning System, a satellite navigation system now being deployed, will allow precise positioning of aircraft in flight, ships at sea, and even soldiers on the ground.

The military directs all space activity in the U.S.S.R. The same may soon be true in the United States.

The Air Force Satellite Communications System carries messages to and from our armed forces all over the world. The Satellite Data System handles communications from one polar region to another and helps the air force track satellites.

General Alton D. Slay, commander of the Air Force Systems Command, underscored the importance of satellites to the U.S. military in a speech in Washington last year. "The Defense Satellite Communications System is the key element for worldwide long-haul communications," he said. "For the future, I see no diminishment of the utility of space for com-

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munications and data relay. I see only expansion."

Expanding our military satellite systems may do us little good, however, if the Soviets can knock them down at will. Pentagon officials are worried that if the Soviets could destroy American satellites at the outset of some future armed conflict, American armed forces would have a serious or even fatal disadvantage, since the Pentagon appears to have phased out many of the cable links that had also been kept available previously to provide a backup system for satellite communications. The Russians, by contrast, are thought to have kept both kinds of communications systems, cable and satellite, for added security. This is one reason why Russian ASAT capability worries the Pentagon, and why the United States is trying to match Moscow's space warpower within this decade.

The key to America's plans for war in space is the NASA space shuttle, the stubby-winged spaceship that is supposed to become the workhorse of the U.S. space program in the 1980s. The shuttle, about the size of a DC-9 airliner, is supposed to make its first voyage late this year or early the next. It will ride into space on strap-on rockets and then glide to earth at the conclusion of its mission. It can be relaunched—perhaps as many as a hundred times. DOD has a wide variety of jobs planned for the shuttle, as Defense Secretary Harold Brown told the Senate Committee on Commerce, Science, and Transportation on February 7.

"Over the next five years, our dependence on the shuttle to support our space systems will become critical," Brown said. "Space systems are increasingly more important for support of our military forces in areas such as communications, navigation, early warning, surveillance, and weather forecasting." Brown added that the shuttle was expected to provide "the benefits of reduced launch costs, increased reliability, increased weight and volume of our payloads, and perhaps most important of all, increased flexibility."

The key to U.S. plans for war in space is NASA's space shuttle, with all its deadly military hardware.

In other words, DOD expects the shuttle will allow the Pentagon to send up more and bigger military hardware for less money per pound than ever before, and that it will make practical many military operations that were previously difficult or impossible.

DOD payloads will be among the first the shuttle will carry. On its first ten flights, the shuttle is scheduled to deploy air force DSCS-3 military communications satellites and DOD weather satellites, orbit a giant High Altitude Large Optics camera to spy on the Soviets, and test laser weapons. The shuttle will also be used to test the Inertial Upper Stage, a booster rocket that could be released from the shuttle to carry satellites into higher orbits where they would be safe from Russia's low-orbiting killer satellites. Indeed, the Pentagon is thinking of hiding "dark" or "silent" satellites in extremely high orbits, where they would be difficult to detect, and switching them on if other military satellites in lower orbits were destroyed.

Clearly, the shuttle will be busy with DOD projects. And just to make sure the Defense Department has all the shuttles it wants, the Pentagon has been pushing for a greatly expanded shuttle fleet. Defense Secretary Brown told a Senate committee recently that DOD may require more shuttle missions, and hence more shuttles, in the 1990s, and the department seems confident of getting what it wants: Earlier this year, Air Force Secretary Hans Mark said he expected the currently planned fleet of four shuttles to be increased to seven. Meanwhile, the next generation of space shuttles, armed space "battleships" that would take off and land using conventional runways, is on Pentagon drawing boards.

*THE SHUTTLE'S EVER-EXPANDING MILI-*tary role puts NASA in an uncomfortable position. Every new military mission slated for the shuttle increases the chance the space agency will be gobbled up by DOD. And NASA's close relationship with DOD makes it increasingly difficult for NASA to protect the image it wishes to project as a peaceful civilian agency. So NASA, to defend that image, and probably also to keep Defense at bay by encouraging public and congressional support for a civilian space program, has been waging a publicity campaign to sell Americans on the nonmilitary uses of the shuttle.

This "salesmanship," as *Science* magazine called it in an article about NASA's problems, scarcely ever mentions that the shuttle is working for DOD. In one widely distributed NASA publication concerning the shuttle, the only mention of the shuttle's military purposes is a single reference to "national security" near the end of the book.

NASA's public relations campaign has won over the media, which have nothing but praise for the "peaceful" shuttle. Writers and television commentators, always interested in a spectacular space story, see in the shuttle something of the old Apollo glamour and gush about the "new age in space" that the shuttle will supposedly inaugurate. Ordinarily hard-headed reporters go starry-eyed with visions of the shuttle turning out fantastic new products in the airless, zero-gravity environment of space, or building hotels in orbit to serve an interplanetary tourist trade. Most magazine and newspaper articles about the shuttle are little more than rewrites of NASA promotional literature, and NASA is further assured of friendly coverage by the fact that many articles about the shuttle are written by present and former NASA employees. After all, who knows more about the space shuttle? As a result, the public tends to see only one side of the space shuttle project: its nonmilitary role.

The Soviets, however, are less easily fooled. They have recognized the military potential of the space shuttle since its inception, and last year expressed their concern about the shuttle's possible role in warfare.

The Russians accused the United States of planning to use the shuttle in ASAT activities. That suspicion is understandable. The shuttle is equipped with sophisticated radar for rendezvous with other spacecraft, as well as a manipulator arm that could be used to pluck Soviet satellites out of the sky and destroy them, or even bring them back to earth in the shuttle's cargo bay. The shuttle itself might hold some impressive ASAT weapons, including missiles or high-energy lasers.

The Defense Department denies it is actually planning to use the shuttle against Soviet satellites, but there is no doubt in

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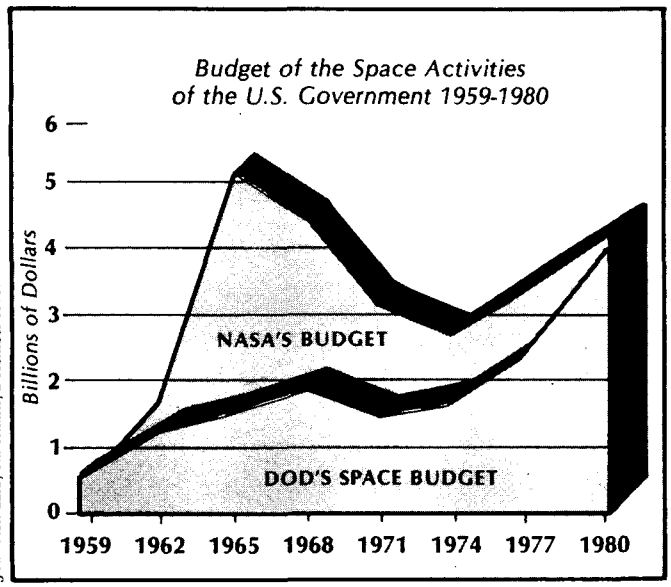

JOEY REINLEIB, *The Sciences*, December 1979.

anyone's mind that the shuttle could be used for that purpose, if DOD ever saw the need.

That prospect led the Russians to demand a halt to the American shuttle project as a step toward the Carter administration's announced goal of curbing ASAT weapons deployment in space. An administration spokesman called the Russian request "totally unacceptable" and added, "We would never agree to terminate the shuttle or even to slow it down." Three weeks later, Representative Ron Paul (R-Tex.) underscored that message to Moscow in a short speech on the House floor. "The space shuttle has tremendous defense applications, which is why the Communists want to get rid of it," Paul said. He urged the government to expand the shuttle project for military purposes, and had ominous words for the civilian space effort: "NASA's future, I believe, must lie in defense-related capabilities."

The Soviets are working on their own space shuttle, a miniature cousin of ours. A U.S. spy satellite caught a glimpse of the Russian shuttle during a glide test several years ago, and pictures published in the West show a delta-winged craft with a blunt nose and a chopped-off tail. The Soviet shuttle has a much smaller payload capacity than ours and has a wingspan of only twenty-six feet, compared to seventy-six feet for the NASA shuttle. Russia's space shuttle appears to be based on a twenty-year-old U.S. Air Force design, the X-20A "Dyna-Soar"—short for "Dynamic Soaring"—a glider that would have ridden into space at at least five times the speed of sound, atop a liquid-fuel rocket, and then flown back to earth under a pilot's control. Dyna-Soar was abandoned in the early 1960s while the United States was concentrating on reaching the moon instead. It was originally planned to resupply space stations, and the Soviets may plan to use their shuttle as a supply vehicle for their quasimilitary Salyut spaceships.

DOD seems unworried about the Soviet shuttle effort. Defense Secretary Brown has said the Russian shuttle may be a decade behind ours in development. The Pentagon is considerably more worried about setbacks in the American shuttle project; NASA's shuttle has been plagued with serious problems that have repeatedly delayed the shuttle's initial flight. A balky engine has given engineers headaches. Solid fuel in the two rocket boosters has sagged out of shape and kept the boosters from being assembled. And the heat-resistant ceramic tiles that cover the shuttle's hull, insulation for reentry, have shown a distressing tendency to fall off. (The Johnson Space Center has given Martin Marietta Aerospace a $2.1 million contract to design and put together a repair kit that astronauts could use to patch up the shuttle if too many tiles came off during an ascent.)

Problems like these have forced the shuttle over budget as well as behind schedule. NASA now expects the shuttle will cost 20 percent more (about $1 billion in 1971 dollars) to get off the ground than previously estimated. The agency was given a $185 million increase in its 1979 budget to help with the shuttle. The following year NASA asked for and received $220 million more for the shuttle, plus a stern lecture from Congress about delays on the project. NASA is expected to get some $285 million more in bailout money for the shuttle in fiscal 1981.

President Carter seemed unconcerned about the shuttle's troubles until last November, when the Pentagon briefed him on the military importance of the shuttle. Carter at once spoke up in support of the project and asked Congress to approve NASA's request for more money. No decision illustrates more clearly the Carter administration's policy of pushing space-war projects while taking only a lukewarm interest in any civilian space program.

Where will this emphasis on military space projects lead? One person who should know is Paul Warnke, former head of the Arms Control and Disarmament Agency and leader of the American delegation to the SALT II negotiations at Helsinki in 1978. In discussions with the Soviets, Warnke brought up the prospects for war in space and later commented: "There is no doubt in my mind that we could have war in space within a decade unless we devise a treaty that will stop it."

NO SUCH TREATY EXISTS, NOR IS ONE likely to take shape in the present atmosphere of confrontation between the United States and the Soviet Union. The 1967 Outer Space Treaty, commonly thought to prohibit deployment of weapons systems in outer space, is hardly comprehensive. The treaty does forbid placement of weapons on other celestial bodies (the moon, asteroids, and so forth) and bans weapons of mass destruction—city-busting bombs and the like—from being put into earth orbit. But since an ASAT weapon would be aimed at only a few small targets and, in any case, has nothing like the destructive power of a nuclear bomb, it can be argued that the 1967 treaty permits the unchecked spread of ASAT systems into space. And while other international agreements oppose the building of antimissile systems, loopholes in those agreements may allow the deployment of virtually any kind of weapons in space.

The consequences could be tragic. As the amount of military hardware in outer space grows, so does the possibility of a military conflict. At first the prospect of unmanned satellites darting through space and firing lasers at one another seems unthreatening and perhaps even a bit on the spectacular side; after all, no one would be hurt—at worst some expensive hardware would be turned into junk.

But remember: Both sides now depend almost exclusively on their satellites for communications and surveillance of the enemy. The loser in an outer space gunfight will not be able to tell what's going on at the enemy's ICBM sites on earth. Under these circumstances, a preemptive nuclear strike will become not only plausible but even desirable to some minds in Moscow and Washington.

So outer space is legally wide open to nearly all military uses. The result is that we face a new, dangerous, and staggeringly expensive arms race that may make the $50 billion spent so far on military space projects seem like small change. ❑

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After ten years of federal meddling in the oil business, we're over a barrel.

WASHINGTON'S ENERGY MESS

BY JON SAWYER

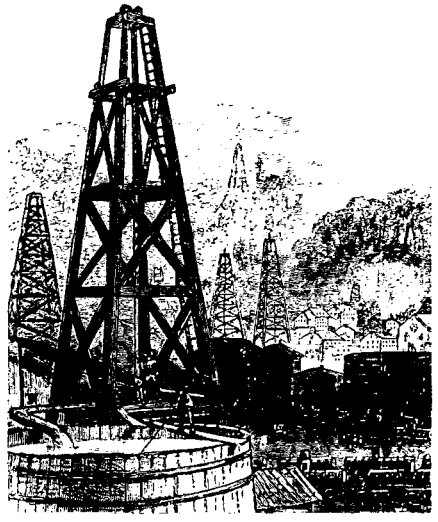
*TEN YEARS AGO A PRES*tigious task force commissioned by President Richard M. Nixon concluded that American consumers were paying $5 billion a year more than necessary for oil. The main culprit, the task force asserted, was federal regulation, particularly programs that restricted access to cheap foreign oil. The task force recommended that the government dismantle the import control program that, since 1959, had subsidized high-cost domestic production by restricting imports to 12 percent of total demand. It added the United States had nothing to fear from OPEC.

If OPEC attempted to impose a price increase, the task force reasoned, the higher prices would call forth a torrent of new production from America's ample oil reserves. The group found that based on the projections of major oil firms, even a $1.00 increase in the 1970 domestic price of $3.30 a barrel would enable the United States to be virtually self-sufficient. The task force said the federal government ought to stop meddling in the oil business and let the free market work. And it urged that long-festering charges of monopoly practices in the industry be resolved by an in-depth federal inquiry.

The rest, as they say, is history.

In 1970 the average acquisition cost of a barrel of imported oil was less than three dollars; ten years later it was thirty dollars. Current domestic production—10 million barrels a day—is 30 percent below the industry projections made in 1970, despite inflation-adjusted price increases far beyond predictions of ten years ago. America's dependence on imported oil has nearly doubled, to 43.2 percent of total consumption.

The call for an end to government intervention was met with an unprecedented barrage of new regulations. The task force had worried about the "hazards of fallible judgment" in federal attempts to allocate import rights among some 130 refiners. Within three years government bureaucrats would be allocating—and pricing—gasoline for 225,000 retail service stations.



Oil policy in the 1970s meant not only price controls that encouraged foreign production, but also an oil allocation program that subsidized imports and inefficient refineries, gave most refineries no incentive to seek secure supplies, and put gasoline where the people weren't. "With any regulatory program, you'll have some people advantaged, others disadvantaged," said Alan T. Lockard, manager of the allocation program for the Department of Energy. "I say to you or anybody else who complains: You give me another system. The more you tinker with it, the more you try to fine-tune it, the worse it gets."

The record shows that the oil industry has been strong enough to use government programs to further its own commercial interests. The largest oil firms are still among the nation's corporate giants. But the industry has not been so strong as to prevent the government from incessant meddling in day-to-day operations and investment decisions. The consequences of that uneasy relationship—measured in fuel shortages, exorbitant prices, and loss of popular faith in both government and industry—have already proved traumatic. They are likely to get worse.

Federal regulation of the industry has increased American dependence on foreign oil. And more than any other single factor, these programs made gasoline-line chaos out of the slight shortfall in world oil supplies in early 1979. They have made a sham of the notion of free enterprise in oil.

The dismal history begins in 1971 with price controls, a short-term government effort to combat inflation that remained in effect for crude oil and petroleum products long after being dismantled for the rest of the economy. The controls made importing foreign oil more profitable than domestic production and discouraged critically needed investment in refinery modernization. In the wake of price controls numerous regulatory amendments were passed that were supposed to promote competition. Instead they subsidized oil imports and funneled crude oil to inefficient refineries lacking the equipment necessary to make products like gasoline that were most in demand. Allocation regulations, also imposed as a short-term expedient, distorted the market in times of surplus and created havoc during the 1979 shortage.

That litany is not just the industry line. Consider William C. Lane Jr., director of the DOE's Office of Competition and a man who shares the concerns of many critics about the implications for competition in an industry dominated by a handful of giant companies.

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"Everybody," he says, "from the Senate antitrust subcommittee to the Federal Trade Commission to the Department of Justice to the House antitrust subcommittee who has looked at this issue from the competitive point of view has said that pricing-allocation regulations don't work in this industry. Period."

Government regulation of the oil industry was not unique to the 1970s, but that decade brought the practice to a peak. State agencies had restricted production for forty years and the Mandatory Oil Import Control Program had held imports to 12 percent of domestic production since 1959. Of the later program, the Nixon task force charged in 1970 that "the present system has spawned a host of special arrangements and exceptions for purposes essentially unrelated to the national security, has imposed high costs and inefficiencies on consumers and the economy, and has led to undue government intervention in the market and consequent competitive distortions."

The recommendations of the task force were ignored as the Nixon administration moved toward wage and price controls in the summer of 1971. Between 1973 and 1975, when controls were ending for the rest of the economy, they continued for "old" oil produced from existing fields. Passage of the Energy Policy and Conservation Act in 1975 extended these controls to new oil as well. Price controls on petroleum products also had their origin in the 1971 program, with subsequent adjustments establishing the "base" as the price in effect on May 15, 1973. "If a guy was in a price war on that particular day," a DOE regulator said, "he was theoretically locked into it ever since." As the system of price controls evolved, refiners could pass through only documented increases in raw material and operating costs. Despite inflation, profit margins were essentially frozen at their 1973 level. If a company had invested to expand or improve its refinery, price increases could reflect only the direct costs of the investment; no additional profit was allowed.

These controls discouraged refinery investment at a time when it was critically needed to cope with dramatic shifts in the qualities of crude oil available—due in part to OPEC machinations, and in part to new supplies opening up—and the types of products required. On the supply side, refineries had to adjust to an increasing proportion of "heavy" crude oils that required more sophisticated equipment for processing into gasoline, heating oil, and aviation fuel. The proportion of sour—or high-sulfur—crudes also has increased, requiring more elaborate refining to meet environmental standards. On the demand side, while total gasoline usage is expected to peak in the early 1980s, the mix of gasolines required will change as leaded grades are phased out. As an additive to raise the octane rating of gasoline, lead is a substitute for more extensive processing at the refinery. If demand for unleaded gasoline is to be met, according to industry and DOE reports, substantial investments in refinery equipment must be made.

If price controls are set up for the long term, they must allow for inflation—or people go bankrupt.

UNTIL THE ADVENT OF price controls the oil industry was making the required investment, according to Joe Moore, president of Bonner & Moore Associates, a Houston consulting firm that has specialized in studies on the lead phaseout. "Once the controls were put on," he said, "the industry stopped doing what it was supposed to do." The companies simply couldn't see any way to recover the hundreds of millions of dollars they would have to invest to alter their refineries. The result, Moore said, was a shortage of unleaded grades that forced several major companies into product allocation in late 1978—well before the shutdown of Iranian production.

"The system," says Edwin Mampe, the DOE's director of price regulations, "wasn't set up to deal with inflation. If price controls are set up for the long term, they've got to be adequate to handle inflation. Otherwise, you bankrupt people."

Price controls also gave an extraordinary cost advantage to refineries with access to domestic crude oil. In its attempt to redress that imbalance, the federal government ended up subsidizing oil imports and inefficient refineries.

By August 1974, independent refiners who did not have access to price-controlled domestic crude were paying as much as $7 a barrel more than their competitors for oil. Recognizing that this was a "peculiar form of competition," as one DOE official put it, the government instituted a program called "entitlements" to equalize crude-oil costs for all refiners. Under that program refiners having more than the national average of price-controlled oil write checks each month to refiners having less than the national average. The checks can be large: Standard Oil of Indiana, with its heavy proportion of domestic production, had by the end of 1979 paid out well over a billion dollars to its competitors. The entitlements program, says Edd Grigsby, a Phillips Petroleum specialist on government regulations, is "the heart of the current energy policy, which is to subsidize imports and penalize those companies that elected to spend money in years past to develop domestic sources of oil."

Entitlements are based on average oil prices, but foreign oil prices are far from uniform. The major oil companies, because they have been doing business overseas longer, have access to oil purchased on long-term contracts at cheaper prices. The independents, having originally concentrated on domestic oil, must buy their foreign oil on the higher-priced spot market. Obviously this gives the major oil companies a big advantage in collecting entitlements money. At the height of last year's gasoline crunch, for example, the weighted-average cost of all imports was $23.09 a barrel, and that was the figure used in computing entitlements. Yet the actual prices paid for foreign oil ranged from $18.00 to $45.00.

In terms of competition, this price disparity meant that some refiners and marketers started out with wholesale prices double those of their competitors. "It's a situation with enormous competitive implications, not only for refiners but for everybody in the industry down to the dealers," said John Dansby of Ashland Oil. "In theory the market sets a price and everybody charges that, so you've got customers competing on an equal basis. You don't have that here: Union Oil's independent dealers are trying to compete with Exxon's independent dealers, but with wholesale prices that differ by an enormous amount."

Union, a company that uses a large proportion of domestic oil in its refineries, got hit harder than most by federal energy policy. Although the initial price controls gave Union a competitive advantage, the entitlements program took it away. "The problem is that the government makes us share our domestic crude-oil cost advantage with

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these big rascals, yet refuses to force them to share their foreign cost advantage with us," said Union vice president William Cole. By the third quarter of last year Union, scrounging for oil on the foreign spot market, was paying $10 a barrel more than the industry average, while at the same time the four largest American oil firms—Exxon, Mobil, Texaco, and Standard Oil of California—were reaping an annual windfall of $7 billion by purchasing much cheaper Saudi Arabian oil.

Despite claims by other companies that Union's predicament was the result of bad business judgment, the firm sought and won temporary relief from the DOE. Under the December order, the agency required the other fourteen largest refiners to sell Union crude oil at their own average acquisition cost plus a surcharge of no more than $1.50 a barrel. Among the companies forced to supply Union were several that had themselves experienced serious difficulties in securing adequate supplies of crude oil at reasonable prices. Some, like Phillips, had already cut back deliveries to their own customers to 70 percent of past purchases. Others, like Marathon, had paid exorbitant spot-market prices to maintain full supplies for their customers, only to find—after the DOE order—that they had to sell some of their oil to Union at much less than they paid for it.

"We may be next in line to do what Union did," said Norman Potter of Cities Service, which had also been running its refineries substantially below capacity because of inability to acquire foreign oil at less than spot-market prices. "I'm not surprised at anything DOE does anymore," Potter said. "They've ordered us to supply Union but that just makes our problems worse. They put out one fire but at the same time they ignite another one."

The original entitlements program was biased in favor of those refineries having a capacity of less than 175,000 barrels a day. The intent was to promote competition by giving a cost advantage to small refineries that did not have the economies of scale enjoyed by their giant competitors.

With the help of Joseph Califano, a Washington attorney who became Carter's secretary of health, education, and welfare, a group of small western refineries persuaded Congress to exempt entirely from the entitlements program small refiners with access to domestic crude. The first four months of the exemption produced a $164 million windfall for the fifty-six refineries affected. With that record as evidence, the Federal Energy Administration—which had opposed the exemption all along—struck the best deal it could with Congress, spreading the total benefit of the exemption to all small refiners, not just those with domestic crude oil.

Under the revised program instituted in April 1976, small refiners saved an average of $2 for every barrel processed. Over the next three years, forty inefficient refineries—"bias babies"—opened. Almost none had the equipment necessary to produce gasoline. According to conservative government estimates, this bias toward small refineries cost the country at least 50,000 barrels of gasoline a day during the 1979 shortage. "People here knew what the likely results [of the bias] would be," said Douglas McIver, director of the entitlements program. "It was totally predictable."

'I'm not surprised at anything DOE does any more. They put out one fire at the same time they ignite another.'

The entitlements program and the small-refiner bias were both offshoots of the allocation program that began as a federal response to spot shortages in the summer of 1973 and was codified into law by the Emergency Petroleum Allocation Act later that year. Other parts of the program, also intended to promote competition, had equally unintended effects.

The mandatory crude-oil buy/sell program, for example, originally was intended to assure equal access to crude-oil supplies during the Arab embargo of 1973–74. It forced the fifteen largest refiners to make crude oil available at their own acquisition costs to small refiners whose supplies had been cut off. Use of the program declined after the embargo, as the independent refiners bought cheaper oil available on the foreign spot market. But when spot prices shot up again in late 1978, the independents demanded and won a share of the major refiners' oil.

From the perspective of major oil companies, the program was an invitation to disaster: It encouraged independents to seek the cheapest source of crude, no matter how insecure. "The buy/sell program gave small refiners no incentive to look for secure supplies," said Roy Murdock of Mobil, "so when things got tight, they lost a great deal more crude than they should have." A Mobil study found that small refiners, representing 25 percent of the industry, accounted for half of the 1979 gasoline shortage.

A gasoline allocation system that imposed 1972 supplier/purchaser relationships on an industry undergoing a transformation to self-service operations brought further distortions. For most of the time there was a surplus of gasoline and the main effect of the regulations was to give a windfall to jobbers, the middlemen of the industry who function, in effect, as wholesalers. As described by Alan Lockard, the DOE official responsible for allocations, the program undercut the large refiners' control over their own marketing by assigning new service stations to jobbers who in turn got allocations from the refiners. "The jobbers loved it," he said. "The system let people double, quadruple, quintuple their volume with the refiner-suppliers standing by helpless."

"Some people who figured out the system are now huge marketers," said Edd Grigsby of Phillips. "They're the true entrepreneurs."

CONSIDER, FOR EXAMPLE, Marine Petroleum, a St. Louis–based wholesale gasoline firm that exploited murky regulations on price and allocation to divert supplies from St. Louis to other, more lucrative markets, and in the process disrupted the local market and drove several independent retailers out of business. Beginning in March 1979, at least thirty service stations in the St. Louis area were shut down for as long as ten months because their supplier, Marine, was charging them up to fifty cents a gallon more than other wholesale suppliers. Yet during the same period, when Marine's prices were among the highest posted anywhere in the country, the firm was purchasing a substantial portion of its supplies from major oil companies whose prices were among the lowest in the industry.

If that sounds inconsistent, blame the federal regulations. "The DOE regulations are so complicated that you can twist them around," said Charles Marshall, general manager of the Texas Discount Gas Company, a cut-rate marketer forced to shut down nine of its fourteen St. Louis stations because of the

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noncompetitive prices charged by Marine. "It's just like reading the Bible," Marshall said of the federal regulations. "Anything you want to do, you can find something in the Bible to back you up."

In the jargon of the trade, Marine is a "reseller," buying finished petroleum products for resale to retailers and other wholesale customers. There are two sets of federal regulations governing resellers that Marine was apparently able to twist to its advantage.

The first set consisted of price-control regulations. These put a ceiling on the wholesale price Marine can legally charge; it was supposed to be no more than the price on May 15, 1973, plus any subsequent documented cost increases. The regulations also said, however, that if for some reason Marine is unable to charge its ceiling price it may "bank" these unrecouped costs and at some later date it can charge more than the ceiling price in order to recover the money.

The second set of regulations, governing allocations, was supposed to freeze supplier/purchaser relationships at 1978 levels. The regulations set up as a base period November 1977 to October 1978; they guaranteed Marine an allocation from all the refining companies that sold it gasoline during the base-period months. Similarly, all the retailers who *bought* gasoline from Marine during the base-period months were guaranteed a continued allocation from Marine.

But for much of 1979, an allocation from Marine meant nothing more than the right to buy gasoline from a company whose wholesale prices were often higher than what retailers were charging at the pump. What Marine apparently did was to use its "bank" of unrecovered costs to drive prices out of reach of its retailers. When the retailers refused to buy this high-priced gasoline, it became "surplus product" and federal regulations permitted Marine to dispose of it as the company pleased.

That meant Marine could go sell the gasoline on the more lucrative spot market—and it did, while its St. Louis–area customers slowly strangled in red tape. It takes anywhere from four to eight months for retailers to petition DOE for a new supplier. Meanwhile they can't obtain gasoline.

Marine could expedite the process by signing a release that would allow its retailers to look for another supplier, but if Marine signs such a release, it would also have to give up part of the allocation it receives from the refineries. Obviously Marine officials would never agree to that. Marine's customers believe the release requirement puts them at the mercy of their supplier, and several DOE officials agree. "I'm with you all the way," said one. "Don't ask me to explain the rationale behind that rule."

BY THE SPRING OF 1979 even Jimmy Carter, who had campaigned against decontrol, was saying that regulations hadn't worked in the oil industry. In March his administration implemented the gasoline "tilt" rule that permitted an increase in the price oil firms could charge dealers, and in April he announced a two-year phased decontrol of crude oil. At the same time, however, the President unveiled an energy plan that promised to enmesh the federal government in the oil business more deeply than ever before: It included a windfall profits tax, an energy security fund, and an energy mobilization board.

When Carter announced the phased decontrol he told the nation that "the most effective action we can take to encourage both conservation and production here at home is to stop rewarding those who import foreign oil and to stop encouraging waste by holding down the price of American oil." But what the President gives he can also take away: Carter followed his announcement with a pledge to tax away half the revenues that decontrol would bring to the oil industry.

What emerged from Congress this March—after nearly a year of exquisite wrangling over special treatment for this or that special interest—was a fitting monument to Washington's continued infatuation with the regulatory approach to energy. Just as the discredited price controls established three tiers of oil and a separate exempt class, so does the windfall profits tax. Just as price controls made foreign production more profitable than domestic, so will the windfall profits tax. It is not even clear that the tax will produce the magic $227 billion that Carter and Congress are counting on to finance a massive synfuels program, low-income assistance grants, mass-transit expansion, income tax reductions, and you-name-it over the next ten years.

Reaping that $227 billion depends on the precarious assumptions that world oil prices will increase annually at the rate of inflation plus 2 percent, and that decontrol really will produce a windfall revenue. Not counting taxes, Americans have been paying the same for gasoline, home heating oil, and other petroleum products as consumers in Europe and Japan. If world prices will ultimately determine the U.S. price, decontrol will produce no windfall: Revenue gains by domestic producers will be offset by losses at the refining level. Taking the industry as a whole, it is quite possible that the windfall tax will be paid out of existing revenues.

Although it would seem logical for federal policy to encourage domestic production while reducing demand for OPEC oil, the windfall profits tax could well have the opposite effect because it makes nontaxed foreign oil cheaper to a refiner than taxed domestic oil. And although inspired largely by anger over the profits of Big Oil, the tax will not touch the foreign earnings that have been at the heart of those profits for many international oil giants—and it will no doubt extend the market distortions begun with price controls.

So, after ten years in this Byzantine maze of price controls, allocation systems, entitlements programs, and ever-increasing armies of federal bureaucrats, where do we find ourselves? The answer seems to be, right back where we started. While testifying before a Senate subcommittee on energy regulation, Hazel R. Rollins, head of DOE's Economic Regulatory Administration, was asked what would happen if all federal regulation of gasoline ended.

"I think we would see . . . very little happening in terms of price increases," Rollins replied. "Allocation of supplies would take place in a way that would satisfy more consumers." But she added that deregulation is impossible because the American public would feel insecure. That, then, is the legacy of a decade of active federal intervention in the energy marketplace: increased dependence on foreign oil, an allocation system that puts energy where it isn't needed, and a public addiction to the destructive, expensive, and useless regulatory bureaucracy that created most of the problems in the first place. ❑

By the spring of 1979 even Carter, who campaigned against decontrol, admitted regulation hadn't worked.

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THE SECOND COMING, by Walker Percy. Farrar, Straus & Giroux, 360 pp., $12.95.

Seeing and believing

JOHN GORDON

IN THE FOURTH CENTURY, as historians tell us, the church father Julius Africanus conflated two scriptural texts in order to determine the life expectancy of Creation. The first, "A thousand years in Thy sight are but as yesterday," was taken to reveal that one of God's days lasts a thousand human years. The second, from the opening verses of Genesis, was taken to reveal that the Creation had taken six God-days to complete, followed by a day of rest. Ergo, six thousand years of Creation, then the millennium. Put this deduction together with Bishop Ussher's famous computation of 4004 B.C. as the beginning of time, add certain questionable prophecies from the Book of Revelations, the spread of nuclear weaponry, and the general worldwide perception that everything is going to hell, and the upshot is that from now until 1996, just six thousand years after the Beginning, we can expect a steady proliferation of impresarios of Armageddon.

The sense of impending apocalypse is nothing new to Walker Percy, convert to Catholicism and student of philosophy, whose novels have all worked to turn his readers' thoughts to what the church calls the four last things: death, judgment, hell, and heaven. Now, with his fifth novel, *The Second Coming*, he reintroduces his protagonist from *The Last Gentleman*, Will Barrett, into a world quite conceivably on the edge:

> "As anyone can plainly see, [says a preacher in *The Second Coming*,] all the signs of Armageddon are present." And in a droning voice he listed them, including the return of the Jews to Israel. On a beautiful Sunday morning in the mountains of North Carolina no one in the congregation paid the slightest attention—except Will Barrett, who, head slightly cocked to favor his good ear, had listened to every word.

Barrett is about fifty years old, recently retired after a successful career as a lawyer, enormously rich in consequence of an inheritance from his late wife, a

woman whose idea of slumming was to leave the Rolls in the garage and take the Mercedes. He is in firm possession of everything one could ask for, except for either of two opposed states between which he oscillates throughout the novel—love and oblivion. They are the last things of his day of judgment.

He is denied oblivion because of a cerebral dysfunction that causes him to remember with complete clarity the kinds of moments most people must suppress as one of the conditions of sanity. He reexperiences, repeatedly, an adolescent access of longing compared to which everything he has coveted and achieved in his life has been second-rate—and the time in a swamp when his father, soon to commit suicide, wheeled a shotgun around in his direction and pulled the trigger. Like the less satisfactory "lapsometer" of *Love in the Ruins*, Will Barrett's brain disorder is Walker Percy's faintly science fictionish device for inducing in his protagonist the range of states, most of them with German names, characteristic of the romantic temperament as it has been represented since Goethe. It allows Barrett to be a seer of the things that almost everybody else is too busy or oblivious or stoned or stupid to see. Afflicted by moments of truth-seeing, Barrett intermittently picks up his father's old shotgun and contemplates following him (one of the book's several "second comings") into the oblivion from which his dubious gift of total recall otherwise disqualifies him.

Denied oblivion by a physiological aberration, he is at the same time denied love by the numbing mundanity of his cossetted, air-conditioned, death-in-life life, "deep in the woods, socking little balls around the mountains, rattling ice in Tanqueray, riding $35,000 German cars, watching Billy Graham and the Steelers and M*A*S*H* on a 45-inch Jap TV." He inhabits the same American wasteland ruefully viewed in Walker Percy's earlier novels, a landscape in which no love exists because there is nothing and no one worth loving. Enter Allison, an escaped mental patient, amnesiac from shock treatments. She is not of this world. Like her near-namesake and possible inspiration of *Through the Looking-Glass*, who finds a brief peace in the Forest of No Names, Allison has a Martian's-eye view of the idioms of her contemporaries:

> Sitting down again, knapsack beside her, she reflected that people asked questions and answered them differently from her. She took words seriously to mean more or less what they said, but other people seemed to use words as signals in another code they had agreed upon. For example, the woman's questions and commands were evidently not to be considered as questions

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and commands, then answered accordingly with a yes, no, or maybe, but were rather to be considered like the many signboards in the street, such as Try Good Gulf for Better Mileage, then either ignored or acted upon, but even if acted upon, not as an immediate consequence of what the words commanded one to do.

THE CONVERGENCE OF these two characters, one sick of life and the other discovering it anew, one seeing through appearances and the other fascinated by them, is as neat a stroke as anything Walker Percy has achieved in any of his novels. The alternation between Will and Allison diffuses and so keeps under control the expository pressures that have occasionally overcome Percy's narratives in the past. The author has made a valuable discovery: The best way to avoid monologue is to write dialogue. There is a splendid moment, for instance, when Allison takes a spin in the Mercedes, that until then has seemed, in Barrett's hands, to be a rather ponderous symbol of the spiritual impoverishment of Western materialism and all that: "What a way to live, zipping through old Carolina in a perfect fragrant German car listening to Schubert on perfect Telefunken tape better than Schubert in the flesh."

Allison is the embodiment of the good-humored, bourbon-drinking side of Walker Percy.

Allison is the embodiment of the good-humored, bourbon-drinking side of Walker Percy that usually prevents him, even when facing Armageddon, from becoming a boring old Jeremiah. She recalls Binx Bolling of *The Moviegoer*, who would occasionally cut through the novel's malaise and remark that "it is not a bad thing to settle for the Little Way, not the big search for the big happiness but the sad little happiness of drinks and kisses, a good little car and a warm deep thigh." When the two come together and fall in love, the result is a mutual experience of rebirth—and Percy's allegorical machinery, not to mention the title, leaves absolutely no doubt that this is what is going on. Allison's amnesia wipes out the oppressive accretions from those two abused networks of second-hand substitutions, language and money, which Barrett as lawyer and millionaire has lived by, and reintroduces him to the Edenic pleasures of things felt afresh and words that mean something real; Barrett plays Adam by naming things and in general orienting Allison to a world she has forgotten.

Although all this may make the novel sound overly schematic, on the whole Percy's trouble in the past, as in *Lancelot*, his last novel, has been too little structure rather than too much. The fable underneath *The Second Coming* is a useful corrective to Percy's natural discursiveness and seldom seems too pat. For one thing, it is so disarmingly out in the open about what it is up to. A book in which, for instance, a man retreats into a cave, squeezes through a tunnel, falls into a glass house which "glittered like a diamond trapping light" (the greenhouse where Allison is camping out), and is nursed back to health by a wood nymph is not playing any hide-and-seek games with its reader.

Mainly, though, it's just that the ends justify the means. The relaxed clairvoyance, alternately jokey and desolate, which characterizes Percy at his best flourishes in the region of allegory, halfway between the abstractions of philosophy and the particulars of fiction, especially in the allegorical psychodrama set up by the interplay of this book's two main characters. Thomas More in *Love in the Ruins* diagnoses himself as suffering from "simultaneous depression and exaltation"; in *The Second Coming* the two halves have been split apart and juxtaposed, so that the presence of one balances and at times defines the other. A great deal of Percy's authority has always come from a not-so-fast-now skepticism about the drift of his own words. More coherently than in any of his earlier novels, the two voices of *The Second Coming* allow him to have it both ways, to be both jaded and amazed, to sometimes qualify and sometimes amplify one perception with another, and in the end to give a fresh, binocular look at some familiar terrain. Since his novel is largely about how to see things, it seems he has succeeded in what he has set out to do.

In the end, the second coming of the title is mostly just that—the ability to see things again. Not the least of this book's points is its persuasive argument that our age's apocalyptic temper may just express a general need for such returns and that they can be achieved without suicide, whether individual or universal. It will be a comforting thought to keep in mind as we approach 1996. ❏

***THE KENT STATE COVERUP*, by Joseph Kelner & James Munves. Harper & Row, 320 pp., $15.00.**

The empire strikes back

PAUL CHEVIGNY

A STONE-ANGRY BLACK MAN I once represented in a political prosecution was impressed by no act of the government establishment (including his own indictment) as much as by the shootings of thirteen white students at Kent State in 1970. It showed as nothing else did, he said, the lengths to which people in power were willing to go to punish opposition and to enforce consent—even so far as "snuffing," as he put it, their own kind. For me, his view helps to explain why we have a book such as this published on the tenth anniversary of the events and after other books have been written about them.

The Kent State shootings, by national guardsmen called into an Ohio college town at the request of the mayor, were a political watershed for white middle-class Americans. The government had from time to time fired on poor working people, on black people, on Indians. It took Kent State to prove to the comfortable that the government would shoot them, too, if the situation seemed desperate enough. Bill Schroeder, one of those killed, was actually on his way back from an ROTC class in tactics at the time he was shot. At Kent State we learned that one who is perceived as a dissenter can be thought as dangerous as one who is perceived as oppressed.

That is a political lesson of the first importance. It tells us that our legal pro-

PAUL CHEVIGNY, formerly a staff attorney for the New York Civil Liberties Union, teaches law at New York University. He is the author of Cops and Rebels, *published by Irvington.*

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THE SOCIAL SECURITY SYSTEM IS IN TROUBLE... *This book tells* WHY *and* WHAT *can be done about it.*

Social Security: The Inherent Contradiction by Peter J. Ferrara

Public policy observers agree that America's social security program — the most far-reaching and costly domestic welfare legislation ever enacted — is in deep financial difficulty. Beyond that there is little agreement. In this comprehensive and persuasively written study, economist-lawyer Peter J. Ferrara demonstrates that the seeds of social security's problems lie within the philosophical and economic contradictions written into the system by Congress. In addition to giving an overview of all the recent and important analyses of social security, the author shows us how we might extricate ourselves from a system with increasing problems ... problems that could destroy our entire social fabric.

Publisher: The Cato Institute. 450 pp. $20.00 hardcover text edition (20% discount to libraries; 20% over $100.00, 40% over $500.00).

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Publication Date: October 1980.

Cato Public Policy Book #1.
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Professor of Business Economics,
University of Chicago

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—EDGAR K. BROWNING
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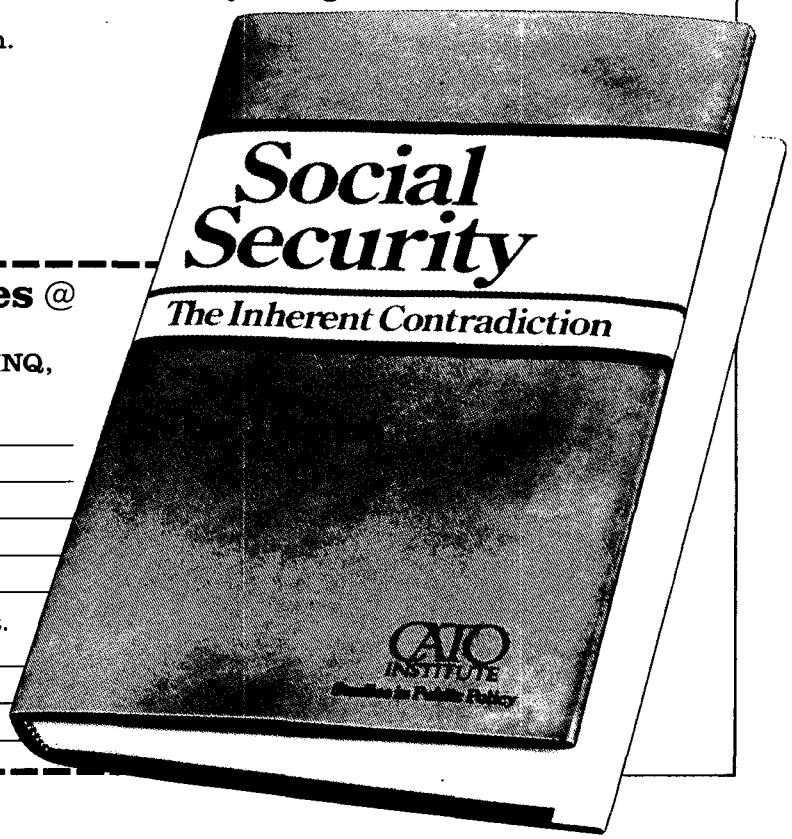

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tections are fragile, that when questions of power are involved the government often does not believe itself to be restricted by law. There were other political lessons—the Watergate scandal, the revelations about dirty tricks in law enforcement—that exposed the dark side of the liberal state, but none so poignant as Kent State. It ought to have given us a cynicism about government. That it failed to do so is as good a reason as any why a tenth anniversary book about Kent State is in order.

Joseph Kelner, the principal author, was lead counsel for those who were shot and their families in the trial of the civil suit against Ohio Governor James A. Rhodes, the national guardsmen, and the university administrators. By his own account he came to the case equipped with a full set of the naive assumptions that Americans, and especially American lawyers, bring to a lawsuit. He tells us that he "was willing to take my chances with whatever jurors we got, provided that the presiding judge let us have a fair trial." The injured students and the families of the dead ones had already pretty well lost faith in the legal system; Kelner buoyed them up through the trial until he lost the case, until that loss was reversed on appeal, and even until the plaintiffs accepted a settlement Kelner thought too small. This book might have been, then, the rite of passage of an American lawyer, through which his faith in the "fair trial" as a panacea for social ills would be tempered by the bitter political lesson of the Kent State murders. We can make that journey, we can learn the lesson, but the odd thing is that Kelner never learns it. He comes out of the trial process as naive as when he went into it.

THE NATURE OF THE CASE confronting Kelner makes it especially amazing that he was able to remain so optimistic: In retrospect the case seems to have been a most difficult one for the plaintiffs to win. The claims were, or must have appeared to the jury, excessively narrow. Those made against the politicians and the supervising officers of the National Guard were based on an illegal use of troops (without a declaration of martial law) and inadequate written regulations against the abuse of weapons. Because the plaintiffs could not assign blame to any of the individual national guardsmen for any particular shot, they had to assign blame to all of them.

The plaintiffs threw this aggregation of technicalities against all the power of the state and the ingrained habits of midwestern conservatism. Governor Rhodes had covered his tracks by declaring martial law *after* the shootings and was treated at the trial with dismaying sycophancy by the judge, who, according to Kelner, consistently ruled against the plaintiffs. There were undercurrents, moreover, that betokened a still more serious malaise in the citizenry. The neighbors of the dead and injured, not only in Ohio but in other middle-class communities where their families lived, tended to blame the victims. They thought those who were shot must have brought it on themselves. The violence that had occurred in Kent during the days before the shootings made it easier to swallow that comforting bromide.

Kelner alludes to but does not detail some tantalizing evidence that the chief act of violence in those preceding days—the burning of the university's ROTC building—may have been a provocation orchestrated or acquiesced in by the authorities. Such schemes were not rare in connection with university disturbances in the spring of 1970—well-authenticated cases happened at Alabama and

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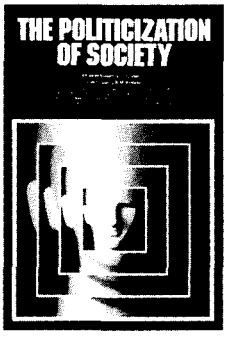

The Politicization of Society

Edited by Kenneth S. Templeton, Jr.

"The state has increasingly replaced the church in determining how we should behave," writes Oxford professor R. M. Hartwell in his introduction. "Politics is now religion." Fourteen scholars examine the central problem of modern society—the growth of the state—and its significance for the individual. They are Robert L. Carneiro, Felix Morley, Murray N. Rothbard, William Marina, Robert A. Nisbet, Jacques Ellul, Giovanni Sartori, Michael Oakeshott, Donald M. Dozer, Herbert Butterfield, John A. Lukacs, Jonathan R. T. Hughes, Butler D. Shaffer, and F. A. Hayek. Hardcover $10.00, Paperback $4.50.

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Ohio State, for example—and were in part a reflection of the contempt of law enforcement people for academic administrators.

If Kelner believed that story, as he intimates he did, then he ought to have concluded that the authorities orchestrated the violence in order to be able to respond in kind and then hoodwink a conservative constituency into blaming the victims. And if he believed the conspiracy was as deep-laid as that, it is hard to understand how he could go on believing that his case was ever going to "serve notice on trigger-happy lawmen everywhere that they could be liable for large sums for damages." Yet Kelner did go on believing it, and that helps explain the weakness of the book he and James Munves have written.

The Kent State Coverup is in the venerable tradition of broadsides and books about scandalous trials and lawyers' escapades. Books of this type tend to reflect the worst characteristics of the Anglo-American advocate. Focused on the drama in the courtroom, they fail to describe where the cases fit in society. When written by lawyers, they usually describe stunning legal triumphs (or strings of them), apparently carried off single-handed. Such books are a species of melodrama in which the good triumph.

This book has both the virtues and the faults of the genre. Kelner and Munves quite ably summarize the testimony and the course of the trial, presided over by an apparently prejudiced judge, but they scarcely try to put the case in its political and social context. In one ridiculous passage Kelner makes fun of both the personal appearance and the moral character of the defendants' lawyers who so soundly trounced him. He cannot credit the judgments of even the lawyers who are with him on the case if they differ from his own.

Ultimately, however, this book is more interesting than most others of its kind because this case was not one that the great trial lawyer was able to save at the last moment. He failed to save it. Yet, in order to retain the illusion that it could have been a success, Kelner must complain that his clients should not have accepted the settlement they did and that they should have pursued the case when they were sick of it. I confess I am not persuaded. The events of Kent State and the trial that grew out of them teach their own compelling lesson: When challenged, the state will assert its power by naked violence and then justify the crime. ❑

THE MASTER THINKERS, by André Glucksmann. Harper & Row, 313 pp., $16.95.

Godfathers of the Gulag?

J. N. GRAY

ANYONE WHO TAKES IT FOR granted that man is a rational animal must find the history of Marxism a puzzle. Who could have suspected that Marx's eclectic mixture of German metaphysics, bad economics, and occasional insights would become the basis for official ideologies over more than a third of the globe? The spectacular political success of twentieth-century Marxism is extraordinary enough. Still harder to explain is the appeal of Marxism to several generations of Western intellectuals who have clung obstinately to its central dogmas despite the systematic disappointment of their expectations by what has actually happened in liberal and in revolutionary socialist societies. So it has come about that, having begun as a misconceived but challenging current of research and speculation about man and society, Marxism has degenerated into a vehicle of state power in the East and a symptom of the chronic conservatism of the intelligentsia in the West.

A few years ago in France a new breed of intellectual emerged who sought to contest the Marxist domination of radical thought and practice. Many of these New Philosophers (as they called themselves and were called by the press) had been Marxist and, more particularly, Maoist militants during and after the events in Paris of May 1968. The impeccable left-wing pedigrees of these young people guaranteed enormous publicity for their sweeping dismissal of Marxist thought and for their strongly sympathetic response to Solzhenitsyn's publications about life in the Soviet Union, especially *The Gulag Archipelago*. The aggressive and stylish way they propagated their views coincided with a widespread European disenchantment with all forms of socialist thought and brought about a radical reform of the terms of political debate and philosophical argument in France. The New Philosophers initiated a wave of revisionary thought about philosophy and politics, of which it is safe to say that we have not heard the last.

In *The Master Thinkers* André Glucksmann (along with Bernard-Henri Lévy, one of the movement's acknowledged leaders) offers what was clearly conceived as a philosophical manifesto of the French "New Philosophy." His aim is to show by a detailed exposition of their thought how such German philosophers as Fichte, Hegel, Nietzsche, and Marx generated a climate of opinion in which the final solutions of the twentieth century became intellectual and moral possibilities. German Idealists claimed to have uncovered the hidden logic of man's historical development and to have shown that individual responsibility, taste, and conscience are helpless in the face of inexorable historical laws, thus laying the conceptual foundations of the modern totalitarian state. Further, according to Glucksmann, the German philosophers debased the currency of intellectual life by associating themselves with a cult of political power and historical success. They thus initiated a malevolent tradition requiring intellectuals to set aside the claims of truth in favor of the demands of political authorities and social movements. Lost was the notion of intellectual life as a distinct and autonomous sphere of activity having its own standards and norms of rigor, clarity, and fidelity to fact. Bewitched by visions of themselves as controllers of world history, Western intellectuals, under the baleful influence of German philosophy, came to serve increasingly as the servile hacks of established authorities and powerful movements.

In calling public attention once more to what Julien Benda long ago called the treason of the clerks—the abandonment by intellectuals of their rightful vocation of truth-telling and truth-seeking—Glucksmann performs a valuable service. The self-immolation of intellectuals in social movements has often been described before, and there is nothing especially novel in Glucksmann's condemnation of it. But although it is an ancient truth that the vocation of an intellectual is corrupted when he becomes solely or principally the servant of or a seeker for political power, it is a truth that (like many distasteful truisms) deserves to be frequently repeated.

Yet, if Glucksmann is on the right track in seeing the perversion of intellectual life by political power as one of the

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central tragedies of our time, his account of its causes and its history is wide of the mark. There is nothing original in the attempt to fasten responsibility for the twentieth century's totalitarian regimes and movements on nineteenth-century German philosophy. We find it in the writings of J. L. Talmon and Karl Popper and in a whole group of lesser figures writing in the two decades after the Second World War. For all its familiarity, the suggestion that the excesses of German philosophy somehow led straight to the totalitarian nightmares of our time has little to be said for it. The development of Fichte's thought from extreme individualism to ultraauthoritarianism cannot be said to support Glucksmann's charge in any direct way. It should be a commonplace that Hegel is grossly caricatured when he is represented as a theorist of the totalitarian state. As for Nietzsche, no more acute criticism of the political opportunism of the German professoriate can be found than that in his early *Schopenhauer as Educator*. It is true, no doubt, that the spirit of German Idealism is not always wholly congenial to the liberal outlook. Still, Glucksmann's thesis that German philosophy secretes a totalitarian mentality is nowhere adequately supported in *The Master Thinkers*. He misrepresents the thinkers he discusses in detail and largely neglects others (Lichtenberg, Humboldt) in whom the critical spirit of liberalism is so pronounced.

In his treatment of Marx some of the larger weaknesses of Glucksmann's approach become most clear. Perhaps Marx's ideal of a communist society in which all conflict is ended is, as Glucksmann suggests, inherently likely to be abused as a license for repression. The idea of a perfectly harmonious society is far older than Marx or German Idealism, however: It has deep and ancient sources in Judeo-Christian traditions and in Greek Platonism. If Marx is blameful, it cannot be for inventing this idea or even for perverting it politically, but only for vulgarizing it.

The repressions in Marxist regimes have come about not because these regimes are wedded to a Marxist theory of history but more simply and directly by virtue of their efforts to build socialism. By curtailing the private ownership of productive capital, Marxist regimes have confronted a problem Marx was himself fortunate enough to be able to avoid: having to choose between socialist management of the economy and the preservation of individual freedom. Their repression is better understood as the practical nemesis of all socialist experimentation than as the expression of a distinctive tendency of Marxism.

IT MUST BE SAID THAT Glucksmann's style prevents a clear statement of his views on the fundamental issues the book addresses. It is a mocking and even a frivolous style that sometimes illuminates and sometimes obscures his thoughts. The book's chapters have titles deliberately reminiscent, in their ironical grandiloquence, of Nietzsche's autobiographical essay *Ecce Homo*, such as "Why I Am So Revolutionary (Fichte to Start With)," "Why I Am So Clever (Hegel and His Followers)," and "How I Became a Fatality (Marx Among Others)." At first, the light tone gives an effect of buoyant charm. Thus the opening chapter, entitled "Panurge Outside the Walls," begins with the statement: "Rare, in our times, are rulers who refrain from telling us: 'You are free.' Rare are the subjects who reject the pleasure of feeling free." Glucksmann goes on to compare Rabelais's hero Gargantua, who states as the only rule of the Abbey of Thélème, "Do what you will!" with Mao, who ordered his subjects to revolt during the Chinese Cultural Revolution. This is an amusing touch, but after a while one grows tired of reading passages like this: "God? Everything depends on what one means by a word that, in itself, is empty. . . . Is not what signifies, in proofs of the existence of God, more than just a word, that movement of the proof which is at once elevation and demonstration?" Such striving for effect confuses further the reader's view of what is already a confused picture.

It is typical of Glucksmann's windy and rhetorical style, remarkably akin to that of Camus except in its wearying preciousness, that he never pauses to consider the economic conditions of intellectual freedom and he shies from endorsing the market system, without which intellectual freedom has never existed in modern times. Nor does he succeed in identifying the intellectual traditions (as much a feature of the French Enlightenment as of German Idealism) that encourage the political ambitions of contemporary intellectuals. *The Master Thinkers* does not contain a satisfying account of the philosophical antecedents and historical causes of modern tyranny. It is an interesting book, all the same, mainly because it is so intensely topical. All its shortcomings aside, *The Master Thinkers* commands our attention because of the change in intellectual fashion that it at once signifies and promotes. If (as is likely) it does no more than ruffle the complacency of the Western intelligentsia, its author will deserve our gratitude.

***THE FLEECING OF AMERICA*, by Senator William Proxmire. Houghton Mifflin, 222 pp., $10.95.**

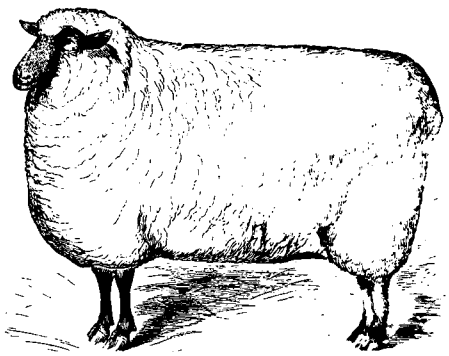
Sheepish crusader

GREG RUSHFORD

WOULD PREGNANT PIGS be less bored if they jogged? Why do people fall in love? What does a mile-long roll of burning crepe paper look like when it is thrown from an airplane?

Who wants to know? You've already guessed, of course, dear taxpayers: rich research arms of your federal government. Who pays? Right again. You do.

Senator William Proxmire (D-Wis.), the arch critic of government waste, has



compiled these expensive absurdities from his well-known Golden Fleece awards—monthly documentations of the more outrageous examples of the frittering away of our money. Those are only a few of the entries in his newest book, *The Fleecing of America*.

This is a good book, full of verve, written in clear English and with Proxmire's flair for scoring serious points with humor. Most Americans must be more than a little baffled when they confront the astonishing proportions of fed-

GREG RUSHFORD, a former congressional aide, is a Washington writer.

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eral waste. Perhaps Proxmire's most valuable contribution is that he makes clear two basic parts of the spending puzzle: (1) where the wasteful spending can be found; (2) why, despite the well-documented criticisms, the spending continues. He also offers some good ideas on how to clean up the mess.

Where is the waste? Everywhere. Proxmire cites so much evidence in so many different agencies that this answer cannot simply be dismissed as hyperbole. Just one example reveals not merely unnecessary spending, but the arrogance that seems to accompany bureaucrats' disposal of other people's money. Consider this.

Nothing makes a representative look more like a statesman than a new federal building or a water project.

The Office of Education spent $219,572 to develop a curriculum that will, Proxmire quotes from the funding contract, teach college students to "distinguish between television's fact and fiction, recognize its various viewpoints, and evaluate its messages." For example, how does a weekly viewing of "Rhoda" affect the "viewer's attitude toward divorce or more broadly toward feminism"? Proxmire quotes a mind-boggling paragraph that shows what this costly proposal was designed to accomplish: "In addition, multiple regression analysis and canonical correlation will be used to assess the relationship between the critical viewing skills, on one hand, and on the other, sociodemographic and other variables."

AS PROXMIRE SAYS OF this shining prose from the people who undertake to educate us, "Is it possible that those who wrote that paragraph could write a textbook to provide 'an understanding of the relation between television programming and the printed word'?" The answer, I think you'll agree, is fairly obvious.

After reading case upon case of such careless uses of money somebody once worked hard to earn, even those who love a good joke must be pressed. I was outraged by about page eighty. It is not merely the lavish entertainment expenses of the bureaucrats and the limousines and expensive offices, although the book is full of such examples of greed of our new elite. What's really worrisome is the result of all this waste. We have a soft military. Housing and welfare programs that are supposed to help the poor actually channel the dollars to the more affluent. And so on. The resulting budget deficits and inflation pushed by government overspending compound the burden carried by all Americans.

Okay, so we have a mess. That's not news. But there are more than a few readers, no doubt, who would like to better understand why.

"How can it be," asks Proxmire, "that 535 elected representatives [in Congress] and a President who is popularly elected combine to continue to impose such an immense burden of spending that has to be paid for by taxes?"

It is really quite simple. Proxmire hasn't been inside the Senate for over two decades, watching the wheeling and dealing, without learning something. In the first place, Congress channels our tax dollars by itemized annual appropriations. What are the forces behind the decisions?

Mayors and governors, to begin with, push Congress for federal money and may present real or apparent threats to any member who dares defy them. "In the years I have been in Washington," writes Proxmire, "I have never once heard or seen" any governor or mayor ask for less federal money.

Who else approaches Congress? Educators, big defense contractors, bankers, health professionals, home builders, big labor, big business: They all want more money.

As an individual, Proxmire points out, the businessman deplores excessive government spending and knows what it means to our economy. So does the worker. "Yet when organized business and organized labor move on Washington, they almost never reflect the sentiment of their individual members, but slap on their armor and ride into the fray to battle for government spending with a vengeance," says Proxmire.

When the new legislator arrives in Washington, the spending forces help steer him to the "right" committees where the real spending decisions are made. If the politician is from a defense contracting state, he may serve on the Armed Services Committee; if he is from an agricultural area, he may get a place on the Agriculture Committee. Come the next election, there's nothing that will confirm the representative's reputation as a statesman more than a water project or new federal building.

The machine runs on money, the getting and spending of it. Political survivors know their success is fueled by taxpayers' money, and devote their main energies in Congress to spending more of it. Taking actual case studies—the New York City and Chrysler bailouts—Proxmire shows in detail how these forces work. One victory for the taxpayer, won ten years ago when Congress killed the supersonic transport, happened only because conservation and environmentalist organizations objected to that boondoggle and mounted an effective lobby.

As a congressional aide in the mid-1970s, I ran investigations of government waste. I have seen Proxmire fight lonely battles against his colleagues who couldn't care less about saving tax dollars. In 1977 I participated in a behind-closed-doors session of the defense appropriations subcommittee, of which Proxmire is a member. The meeting's purpose was to appropriate money for the armed forces. It was clear why the public and press were barred.

The senators sat under the chandeliers around a long, rectangular, green-felt-covered table that reminded me of the gaming tables in Las Vegas. Representing their various backers, from the aerospace giants down to lesser contractors, they were playing a form of high stakes poker.

As card players avoid unnecessary distractions, so the senators talked little about national defense. Proxmire did, but everyone knew he held a losing hand. The real action was for the senators who dealt for the big contractors. You can't have more fun than that, not even in Vegas.

AFTER WATCHING HIM TRY to save us money when he really didn't have to—remember, this was behind closed doors—I've had no doubt that William Proxmire is one of the forces for honesty in the U.S. Senate. Yet in recent years Proxmire has seemed to me a shadow of his former self. This feeling grew as I read his suggestions for cleaning up the spending mess.

His budget-balancing bill makes sense, and he rightly urges that individual taxpayers organize to oppose specific spending programs. It also makes sense to scrutinize the actions of our inspectors general in the government agencies, who in theory, though not much in reality, attack waste in their own houses. These

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ideas are all fine. They also come a little too easily.

A more effective way to attack government waste is to harness the energies of federal employees who know all about it firsthand. Every agency has these honest insiders. When they go public they are called "whistleblowers" and are often rewarded by being fired or ostracized by their peers.

Proxmire understands this, and in his book gives lip service to the whistleblowers. The most famous case involves air force cost cutter A. Ernest Fitzgerald, who testified before Proxmire in the late 1960s about $2.5 billion in waste in Lockheed's C5-A cargo jet. All Fitzgerald did was tell the truth.

For this he was harassed by the air force in Lyndon Johnson's administration, fired in 1969 by the Nixon crowd, rehired in 1973 after a lengthy court battle, then ostracized by Presidents Ford and Carter. The latter's hypocrisy is particularly shameful because in 1976 Jimmy Carter promised he wouldn't allow the Fitzgerald case to be repeated (that was before Fitzgerald exposed a multimillion-dollar computer-purchase scandal in the air force in 1977).

This is not just one man's saga. Those who lied to Congress (and Proxmire) about the C5-A have been promoted to high positions in the Pentagon. This has seriously impaired national security. The C5-A, because of the very structural deficiencies Fitzgerald pointed out, cannot now be relied on. And at present a Senate judiciary subcommittee is investigating possible criminal misconduct in the Fitzgerald case involving the Justice Department, top generals, and the White House.

Even more broadly, but just as surely, Fitzgerald's continued and visible isolation has sent a signal across the entire bureaucracy that Jimmy Carter is no more serious about cleaning up government than were his predecessors.

Yet when Fitzgerald blew the whistle in 1977 there were only whimpers from Proxmire. Oh, he spoke to Carter, and later sent a letter to Vice President Mondale. But Carter ignored Proxmire, and Mondale never even answered his letter. They must have suspected that Proxmire wouldn't retaliate. Still, "Senator Proxmire has done more for me than anyone else in the Senate," says Fitzgerald.

That's true. But until Senate warriors like Proxmire recharge their batteries, Fitzgerald's praise will sound more like an indictment than an expression of gratitude.

FILM

***THE BIG RED ONE*, Directed by Samuel Fuller.**

Ancestor worship

STEPHEN HARVEY

*THROUGHOUT THE SUM*mer the New York press has made quite a to-do over the triumphant return of that crusty old veteran of the Hollywood wars, Samuel Fuller. This must have baffled all but the most knowledgeable film aficionados—after all, how could they have known of his long absence if they had never heard of him in the first place? Fuller's movies were the sort one would expect to find in the second-run neighborhood fleapit rather than in the Roxy (much less the Little Carnegie). As directors go, he had a relatively brief active career, spanning only the years from 1949 to 1963. In that time, he hand-cranked out seventeen movies, mostly B-budgeted or less, and almost all proclaiming their allegiance to the "virile" melodramatic genres that TV hadn't quite swallowed up whole yet—westerns (*Forty Guns, Run of the Arrow*); war tales (*The Steel Helmet, Fixed Bayonets*); gangster movies (*Underworld, U.S.A., House of Bamboo*); Cold War anti-red action yarns (*China Gate, Pickup on South Street*); and 1950s *psychopathia sexualis* (most explicitly in *The Naked Kiss*, but really figuring in practically all of Fuller's movies not wholly confined to the combat zone).

What distinguishes his movies from most others of their time and ilk is their unabashed baroqueness. Fuller generally wrote his own scripts, and compared with his usual assortment of gristly toughs and bruised tomatoes, Mickey Spillane's characters talked and acted like something out of *The Man in the Grey Flannel Suit*. Even in black and white, his movies displayed the primary tints of a Steve Canyon comic strip applied to the unchecked mayhem and blaring symbolism of nightmares photographed in blinding daylight.

Fuller was first lionized, predictably enough, by the readers of *Cahiers du cinéma*, but by the early sixties the torch had been passed along to our homegrown auteurists, a.k.a. the Sons of Sarris. For such critics, "personal" has always been the complimentary epithet one could apply to any movie director's work, the battle cry apparently being Attention Must Be Paid, preferably while the artist can still focus one bleary eye in his viewfinder. Fuller certainly qualified on

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that count, but as with many other aging Hollywood deities, this belated recognition must have been cold comfort, considering the difficulties he had in bringing new projects to the screen. With the B-movie melodrama an all but vanished species, over the last fifteen years he succeeded in financing and completing a mere two films, and neither enjoyed even the skimpiest circulation.

Auteurist critics understandably tend to turn misty at the spectacle of Minnelli, Wilder, Preminger, et al. forging one last movie testament despite the indifference of financiers and audiences, not to mention their own encroaching infirmities. Still, it's always struck me as a backhanded insult to the real achievements of these directors to claim that such parting shots invariably measure up to the landmark movies of their respective primes. Fuller's current *The Big Red One* has already elicited hoarse hosannas from the expected quarters, and there's no denying that this is a much more vigorous piece of filmmaking than such arthritic Autumn Sonatas as *A Matter of Time*, *Fedora*, and *The Human Factor*. Yet while there's still enough juice there to prompt reasonable hopes of more and better from Fuller in the future, to claim that this movie finds him once more at his jagged-edged summit is just nostalgic wishful thinking.

That terse double-entendre title refers to the World War II First Infantry Division in which Fuller himself served, and this is an account he has wanted to film for decades. It's a period piece in more

ways than one—after all, the time when the screen was occupied by sagas of our struggles with the Axis now seems almost as distant as the era of Sergeant York. Moreover, unlike those more youthful recruits, Michael Cimino and Francis Coppola, Fuller is unrepentantly old-fashioned enough to believe that war may be hell, but it's no hallucination. For him, battle is simply a matter of life or death, rather than a question of a lunatic society wreaking derangement on its military pawns. Where Fuller's beleaguered troops are concerned, either you die or you don't, and that's all there is to it.

UNDERSCORED BY THE recollections of a callow-voiced narrator, *The Big Red One* traces the exploits of three untried young privates, Griff (Mark Hamill), Vinci (Bobby DeCicco), and Zab (Robert Carradine); Zab pens dime novels, always sports a stogie, and is clearly intended as stand-in for Fuller's younger self. Under the supervision of tough, avuncular Sarge (Lee Marvin), their mettle is tempered in combat throughout the European theater of operations; they're sent in to do dirty and perilous advance work for the heavy artillery or to clean up the messy remnants of combat after the big guns have pulled out. In the three years of incessant war-waging detailed by *The Big Red One*, the First Infantry takes on the guise of an unofficial kamikaze squad. As Sarge's platoon treks from North Africa to Sicily to Normandy and thence to Belgium and Czechoslovakia, his stalwarts barely acknowledge each new wave of tyro reinforcements, much less include them in their charmed circle of camaraderie, because they know that nearly all these debutants are doomed to annihilation almost as soon as they settle in. Among themselves, the three (belatedly joined by a fourth, a towheaded farm boy played by Kelly Ward) are bound by blood ties of shared carnage and survival, but their code of conduct never permits any of them to say so out loud—Real Men don't do anything so slushy as talk of gratitude or fraternity.

Throughout it's implied that people who never went through this trial under fire couldn't possibly understand how it felt, yet one of the real failures of *The Big Red One* is that it conveys this notion so forcefully that the viewer becomes far more distanced from the action than Fuller could possibly have wanted. He's apparently lived with his own How I Won the War saga for so long he sees connections and resonances invisible to us civilian outsiders. Logically, this compact fighting unit would have been forged gradually in combat as some comrades fell away, but as soon as you see these characters on a troop ship heading for their initial skirmish, the die of friendship and invulnerability has already been cast. Fuller is seeing this history in retrospect and obviously knew what the outcome would be, but we of course don't have his hindsight. From very early on the viewer starts questioning where this unprepossessing trio acquired all that Spartan grit and weary fatalism when they've scarcely been tested, not to mention what predestination keeps them alive throughout the inferno as bodies drop all around.

The movie's structure (partly imposed on Fuller, who didn't have the right of final cut) reinforces this sense that he can't get across whatever the basic human truth was that made this story such an indelible part of his own past. *The Big Red One* feels like coming-attraction highlights from a vast panorama we'll never get to see—one epiphany follows another without the connective sinew of trudging and waiting that would offer these elected heroes the opportunity to reveal themselves and get to know each other on screen where the audience could bear witness. And we need all the chances to do so that Fuller could have provided, since these warriors don't have the lurid cartoon immediacy of his former creations. In fact, despite a few faint particularities—Vinci's mastery of Italian, Griff's momentary hesitation in the crunch of battle—the people remain blurry and undifferentiated; mere hours after seeing the film, I had trouble matching up the

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actors and their respective roles in my mind, even though Hamill and Carradine at the very least are hardly unfamiliar commodities by now.

Visually, too, *The Big Red One* feels stunted, although practical considerations clearly played a role here. Its budget could have paid for ten Fuller program pictures of yore, but $6 million doesn't buy all that much in the way of spectacle nowadays. During the D-Day sequences, you feel that Fuller went for tight close-ups of blood mixing with brine and clumps of soldiers dangling from barbed wire not so much for the sake of an intimate view of warfare, but because he didn't have the resources to populate the screen in long shot. Still, after all these years Fuller is a pro at making a virtue out of pinched necessity, and his quicksilver glimpses of dogfaces crushed under tank treads or casually picked off while slithering up the beaches sharply pinpoint the split-second life expectancy of the foot soldier in battle. Only Fuller would have dared telescope the infinite horror of the Holocaust with a few eyeblink-span shots of skeletons in an oven and the languishing figure of one small Jewish boy befriended by Sarge amidst the unearthly quiet of an abandoned death camp.

The special pared-down quality of this interlude is precisely what makes it so disquieting, and whenever his set pieces really call for concentrated power (the platoon's encounter with a German troop playing possum, or an attack on a *Wehrmacht* nest within a Belgian mental asylum) rather than a magnitude beyond his grasp, they bristle with unpretentious mastery. For what they're worth, Fuller's vinegary old signature traits are still very much in evidence—the caustic butch bravado (Sarge tossing aside a blown-off testicle while sneering at the victim to stop whimpering since God in his wisdom gave him two of them), the tight-lipped sympathy for kids suffering in a rotten grown-up world, and the tidy, pop-fiction symmetry of the plot as Sarge shoots a German four hours after Armistice is called, just as we had seen him do in a flashback to World War I at the film's beginning. You can't help feeling pleased that Fuller got the chance, after years of professional frustrations, to tackle a subject that clearly means so much to him. It's a lively throwback to an older tradition of moviemaking, but Fuller's Big One isn't either large-scaled or nuanced enough to be the definitive epic he wanted, nor sufficiently concentrated to instill his old crude moxie with its former kick. ❑

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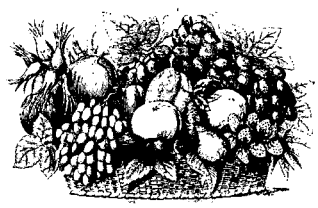

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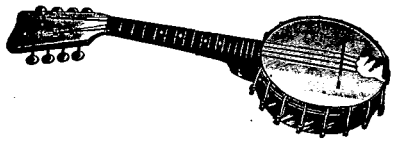

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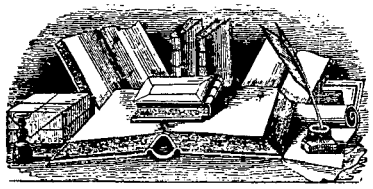

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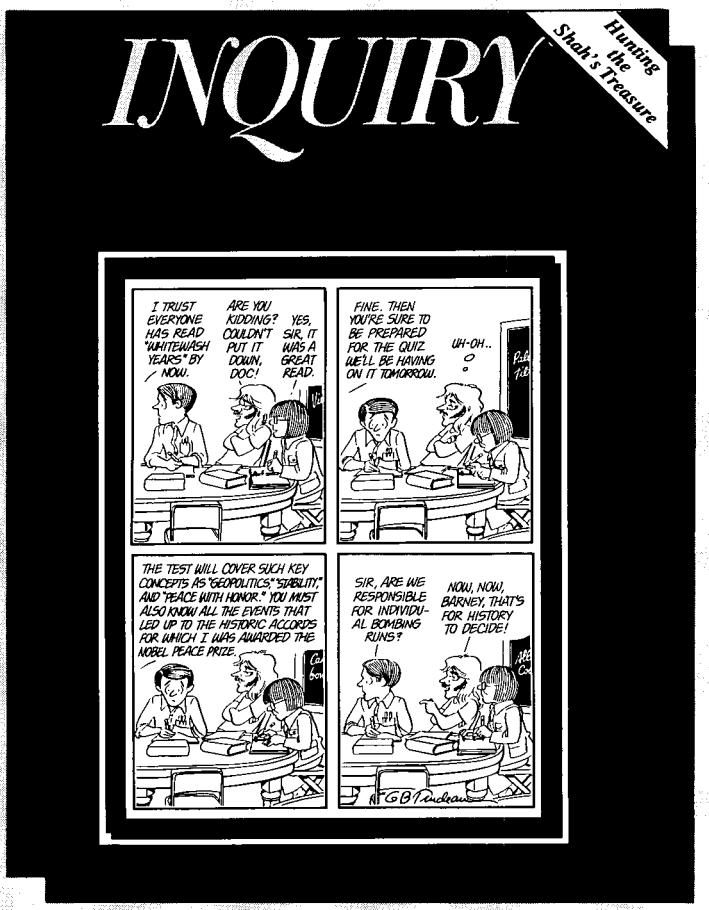
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